
THE

AKING OF BRITISH INDIA

1756–1858

DESCRIBED IN A SERIES OF DISPATCHES, TREATIES, STATUTES, AND OTHER DOCUMENTS, SELECTED AND EDITED WITH INTRODUCTIONS AND NOTES

BY

RAMSAY MUIR

PROFESSOR OF MODERN HISTORY IN THE UNIVERSITY

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PREFACE

No part of the achievement of the British race is more deserving of study than the process by which, in the course of a single century, the Indian Empire was established, and its system of government developed Yet this story is curiously little studied, either in Britain or in India Indian social usages, and even Indian names, are bewildering to the Englishman , while it is natural that the Indian student should find a difficulty in understanding and in justly appreciating the motives by which British statesmen in India have been actuated

The only way in which these difficulties can be satisfactorily overcome is that the student should be enabled to realise how Indian conditions and the problems of Indian government appeared at each stage to the men who had to deal with them thus alone can a fair judgment on the character and value of their work be attained There is no lack of material for such a judgment The greatest difficulty, indeed, is presented, not by any deficiency, but by the extraordinary voluminousness, of the available material Having to report upon and explain all their actions to the Directors at home, and often to defend their policy against attacks, all the Anglo-Indian statesmen from Clive downwards have left behind them immense masses

of narrative and commentary upon the events in which they took part

Much of this material has been already printed, in biographies, pamphlets, Parliamentary Papers, and Reports of Commissions But vast masses still remain unprinted, both in India and in England, and the number of students at work on these materials is discreditably small One may name Mr William Foster, Sir George Forrest, and Mr S C Hill, of whom the two latter have both done invaluable work on the period covered by this volume I owe to them not only the gratitude due to them from all students of Anglo-Indian history, but also thanks for special kindnesses, and particularly for their permission to use some of the documents which their labours have made available to the student

The object of this book is to provide a selection of these contemporary materials ample enough to enable the student to see the main events of Anglo-Indian history through the eyes of the principal actors, and yet not so full as to be overwhelming The book is primarily designed for the use of students, and can be used to best advantage in conjunction with a good narrative history But I have tried, by means of a series of introductions, prefatory notes to individual documents, and footnotes, to weave the whole into a fairly connected narrative, which can be read without confusion by the ordinary citizen who knows nothing of Indian history I have also excised unnecessary minutiae from the documents, and avoided as far as possible technical terminology and unfamiliar names

As it was obviously impossible in the space at my disposal to deal with every aspect of the period, I have in effect confined myself to documents which illustrate two main themes (*a*) the reasons for the successive extensions of British territory, and (*b*) the stages in the development of the British system of

government and the introduction of Western methods and ideas into India. Events of a purely military character are therefore omitted—at the cost, I fear, of some picturesqueness Whole blocks of the subject, which seemed to lie somewhat apart from the main theme, have been cut out, and these omissions include some of the most famous episodes of Anglo-Indian history, such as the struggle with the French in the Carnatic, and the Mutiny of 1857 These themes are very fully dealt with in the narrative histories They could not have been adequately illustrated here without a lavish expenditure of space, which would have altered the scale of the work, and, important as they were, they do not specially illustrate either the methods of territorial growth or the development of government

In the spelling of Indian words I have followed generally the modern official usage, except in the case of such familiar words as *sepoy*, *Mahratta*, *Mahomedan*, *Khyber*, *Nuncomar*

In all historical study, but perhaps especially in the study of Indian history, the constant use of maps is an essential aid to understanding, and the student is urged, in reading this book, to have a map dealing with the period always open before him Perhaps I may note that the most readily accessible historical maps of India are contained in *Philip's Atlas of Modern History*, the Student's Edition of which contains a set of five maps, and the School Edition three maps

I have to thank my friend and former pupil, Miss Monckton Jones, for reading a large part of the manuscript, for making valuable criticisms, and for placing at my disposal her transcripts from India Office Records, some of which I have used in Chapter III Professor Tout has been good enough to read the proofs for me Miss D K Royle, M A, and Miss M Plummer have helped me much by the care with which they have transcribed documents for me, and Miss J M Potter,

M.A., by undertaking the laborious task of preparing the index. I should be ungrateful if I did not recognise the help I have received from Mr H. M. McKechnie, Secretary of the Manchester University Press. I am under a deep obligation to Mr Henry Guppy, Librarian of the John Rylands Library, who, by generous purchases, has enabled me to carry out almost the whole of the work in Manchester, and, in so doing, has created the nucleus of an excellent library of Anglo-Indian history, which will, I hope, render good work possible in the future. Mr Sutton, of the Manchester City Library, has given me similar help.

RAMSAY MUIR

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INTRODUCTION

I

At the beginning of the century which is covered by this volume a group of traders are seen desperately arming themselves to defend their very existence against the ruler of one of the provinces of India, and then, to secure themselves for the future, they are seen taking the lead in a plan to replace this ruler by one who will be more favourable to them At the end of the century, and in the last chapter of this book, the successors of these traders are called upon, by an Act of the 'Imperial Parliament,' to transfer to the British Crown the sovereignty of the whole Indian continent, a land equal in area and population to the whole of Europe excepting Russia, a land full of cities of old renown, and inhabited by races of an ancient and noble civilisation

The history of India has extended over scores of centuries, but no one of these centuries has seen anything to match this amazing change, indeed, there is nothing that can be compared with it in the whole history of the world

And there is another contrast yet more startling between the beginning and the end of this century At the beginning of the century India was a mere chaos of warring principalities, dynasties rose and fell, the patient peasant endured the ravages and exactions of one plundering master after another, the waste and carnage of war never ceased, and everywhere Might was Right, and the arbitrary will of the strongest prevailed At the end of the century, after one final convulsion, war had altogether ceased There were

armies in the wild frontier lands guarding the limits of a vast populous empire, but within these limits peace reigned And throughout its area, in every town and village, judges and magistrates administered one fixed and unvarying law, without bribes and without favour, to all who appealed to have their rights protected or their wrongs redressed That is a contrast not only more impressive, but more important than the first, because it was the change which this contrast represents that had justified the first and made it possible

The most astonishing and paradoxical thing of all in regard to this Empire is that the traders who made it never at any time planned it or wanted it They struggled against it They regarded it as a burden to be avoided, a distraction from their true business of buying and selling Their chief representatives in India, with few exceptions, shared this view They went out determined not to make conquests, breathing condemnations on their predecessors who had given way to the temptations of ambition And then Fate took them in hand, and they added provinces equal to European kingdoms, protesting all the while quite sincerely that they could not help it, and shamefacedly exculpating themselves from the reproaches of their embarrassed masters Never was Empire less the result of design than the British Empire of India

The British power, which came into being in this strangely unwilling and unintentional way, has—not of set purpose, but none the less really—rendered three immeasurable services to the peoples of India. In the first place, it has given them a firmly organised political unity, which they never in all their history possessed before. In the second place, it has given them an extraordinary period of unbroken peace For nearly sixty years no armies have fought on Indian soil, except for the defence of the frontiers That can be said of no other country in the civilised world except Britain, Canada, Australia, Holland and Scandinavia The *pax Britannica* has been a yet more wonderful thing than the *pax Romana*. And in the third place, this Empire has given to the Indian

peoples for the first time impartial and unvarying justice; under its guardianship the Reign of Law, which is the foundation of healthy political life, has taken the place of the arbitrary will of innumerable despots. Whatever the defects of the British rule in India—and of course it has had many defects, being human—these are three priceless gifts. They alone can make possible what without them could never have existed in India, the rise of a sense of unity and nationality among her many sundered races and religions. Nationhood is a plant of slow growth, which is apt to die if it is forced. But if it is not unnaturally forced, it will come in due time in India: indeed, it is already visibly coming. And when it comes it will have been made possible by three things, born of the British rule: political unity, assured peace (bringing easy intercourse), and the Reign of Law.

II

In this book an attempt is made to trace the growth and government of the British Empire under the East India Company in the actual dispatches and other writings of those who were chiefly concerned, in the treaties which they made with Indian powers, and in the enactments by which the British Parliament intervened in the process. These documents for the most part explain themselves; but as a help to the reader short introductions are prefixed to each set of documents, in order to give the necessary framework and explanations. In the present general introduction all that we are concerned to do is to note certain broad features of the wonderful story.

When the Company's arms had in 1757 replaced Siraj-uddaula by Mir Jafar as Nawab of Bengal, it was the hope and expectation both of the Directors at home and of their agents in India that they would now enjoy special trading privileges; but that otherwise things would go on exactly as they had done before. They had no notion that they had acquired an Empire. Only the daring and ambitious spirit of Clive

conceived the idea of placing Bengal under direct British rule, and though the idea appealed to the equally daring and equally ambitious Pitt, it seemed too fantastic to be carried into execution Clive himself dropped the idea, which was only born of the excitement of victory, and the Company and its agents did their best to persuade themselves that Mir Jafar stood in the same position as Aliverdi Khan had occupied down to 1756 But of course this was not so, and could not be so Mir Jafar, and every subsequent Nawab of Bengal, held his position by grace of the Company, which could (and did) depose him as it had raised him Everybody in Bengal knew this, and looked to the Company and its leading servants as the real controlling power, though they exercised no governing functions The Company's servants themselves knew it, and their Indian agents All the wealth of Bengal lay at their mercy And as, by the very terms of their indentures, their chief object in India was to make private fortunes for themselves, they used their opportunities without hesitation So did their Indian *banyans* Here was power without responsibility—the worst imaginable mode of government, and the position of the Company in this stage was nothing but a curse to Bengal, it only accentuated the already great evils of the decaying system of native government There were only two ways of mending this state of things One was that the Company should withdraw altogether from Bengal This was scarcely to be expected, and if they *had* withdrawn, their place would soon have been taken by the French or the Dutch The other way was that the Company should recognise that they were now the masters of Bengal, and assume the responsibility for the just government of the country

But the Directors refused to see this Government was, in their view, not the function of a body of traders They scolded their servants for their misbehaviour, though they had only done what any other body of ordinary men would have done under the same circumstances, but they did not attempt to remove the causes of this misbehaviour Even when Clive

was sent out in 1765 to put things straight, it was no part of his instructions to impose upon the service the responsibility of securing just government for Bengal Clive took over the *diwani*, or right of receiving the revenue, which was usually linked with the function of government But he did not take over the government, which remained in the same hands as before He did not even take over the actual collection of the revenue All that happened was that the collections were paid over to the Company, which, after paying a superfluous tribute to the powerless and effete Great Mogul, and a fixed sum to the Nawab of Bengal for the expenses of administration, kept the balance and remitted it in the form of consignments of Indian goods to London The primary object of this arrangement was to bolster up the finances of the Company, which had suffered from the maintenance of armies It was a very unsound transaction, not deserving any of the praise that has been bestowed upon it Naturally it did nothing to improve the condition of Bengal It did not even enrich the Company, for the yield was very disappointing, within five years the Company was on the verge of bankruptcy They tried the experiment of appointing English supervisors to see that the native collectors did not appropriate the funds, but the attention of the supervisors was concentrated on their own private trade, and the only result of their appointment was to turn them into tyrants of districts

At length, in despair, the Company resolved to take over, not the government of Bengal, but the actual collection of the revenues To carry out this change they appointed (1772) Warren Hastings, one of the few Anglo-Indians who had returned to England without a huge fortune By good luck rather than by intention, they had appointed a great statesman, a man of genius Within two years their affairs were once more thriving, and they were full of delight But then opposition sprang up It was realised that Hastings had actually assumed direct control of the government of Bengal Henceforward he was the object of suspicion and acrimonious hostility as an ambitious tyrant He was

maintained in power because no one else could preserve the Company's existence, but most of his measures were condemned or overridden, and he had to carry on his work, year after year, amid such a storm of obloquy, misrepresentation, and opposition as only a man of real greatness could have withstood He clung to his post, because he knew that there was work to be done which he alone could do He came home at last, a comparatively poor man, having purified British India of corruption and given justice to the people of Bengal, and was impeached as a corrupt tyrant, and, even after his honourable acquittal, flung aside without honour or reward Yet it was Hastings who had turned the Company's power from a curse to a blessing, and laid the real foundations of the British power in India

III

There were five clear and broad principles by which Hastings was actuated in all his work They were sound and true principles, and for that reason his work was lasting When they have been observed, British India has thriven When they have been departed from, British India has been endangered

In the first place, Hastings saw that power cannot be divorced from responsibility without disastrous consequences The Company was, in fact, the controlling power in Bengal, it was therefore its duty to see that the people of Bengal were honestly and justly governed, and it had no right to shuffle off this responsibility by pretending that the powerless Nawab was alone concerned At the very outset of his rule, therefore, not content merely to collect revenues for the profit of the Company, he set to work to evolve from the chaos an efficient system of government, with its centre at the English headquarters in Calcutta His work could not, of course, be final or perfect, he had to make the best of the available materials But in two years the worst abuses had been banished, and the foundations had been laid upon which the whole later

structure was raised This assumption of responsibility was violently attacked, and much of Hastings' work was undone by the hostile majority of his Council backed by the Directors at home But it was not wholly undone Its author patiently kept the system going as well as circumstances allowed And at the end of his rule it was an accepted fact that the Company was the actual responsible governing authority in Bengal, and the machinery through which its government was conducted was of Hastings' devising

In the second place, he recognised that if responsibility for good government was imposed upon them, the servants of the Company would answer to the call just as readily as their fellow-countrymen in other parts of the world It had come to be the fashion in England to regard the Company's servants as monsters of corruption, and so far as concerns the twenty years after Plassey, this fashion still prevails Of course the judgment is merely absurd The incorruptible officials of the next generation were men of exactly the same type as the monsters of the 'sixties, only in the next generation they had been made responsible, whereas in the 'sixties they had no sense of responsibility, for the state of Bengal—they were traders paid a nominal salary and authorised to make private profits, and they used their chances as any other group of men would have done To pay them larger salaries and to prohibit private trade was a desirable and indeed necessary reform, as Hastings knew But prohibitions can be avoided, definite responsibilities not so easily Even before private trade was abolished, Hastings' challenge to the best in his colleagues produced fine results And the whole subsequent history of the service was his justification

In the third place, Hastings saw that even when the Company ruled Bengal, Bengal was an Indian province, and ought to be ruled according to Indian customs Reformers in England (when the era of reform began) imagined that the greatest boon they could render to India was the introduction of English law and the English land system They planted a supreme court in Bengal, with all the paraphernalia of Westminster

Hall, and the assumption underlying this was that Indian law had no value It was an assumption which Hastings vehemently repudiated He studied and respected both Hindu and Mahomedan law, and was convinced that they formed the only sound basis of a reinvigorated system He was overridden, but he was right, and the British Government gradually worked back to his point of view The Act of 1833 authorised a codification of Indian law such as Hastings had begun at his own expense The Proclamation of 1858 promised respect for and maintenance of Indian customs as a fundamental principle Hastings, in short, saw what his successors only slowly learnt, that if the British power in India was to be lasting it must become an Indian power

In the fourth place, Hastings was distinguished by his anxiety to protect the ryots or peasantry, to maintain their customary rights, and to assure them of a full return from their peaceful labour, unperturbed by war or the oppressive exactions of officials In his first assessment of the land revenue, in 1772, one of the outstanding features was his insistence upon the grant of *pottas* or definite contracts to all peasant tenants He was perhaps the first of Indian statesmen to put the welfare of the peasant in the very forefront of his policy His dream, as he says in his own final review of his government, was to turn Bengal into a place of refuge for the industrious from all parts of India, to guard them against the devastations of war, and to protect them from famine by the institution of great state granaries

Lastly, Hastings from the first perceived that once the Company assumed the direct control of Bengal, it must, as a consequence of that assumption, take its place among the other powers of India, and enter into frank and clearly defined relations with its neighbours Absolute loyalty to these relations and fearless determination in enforcing their conditions seemed to him the only possible means of maintaining stable peace and safeguarding the Company's position There was no part of his work which was so vehemently attacked as the treaties into which he entered in carrying out this policy

The Company was unwilling enough to accept the responsibility for governing Bengal, it shrank in fear from any meddling in the inter-state politics of India, and both now and for a long time to come it tried to insist that no obligations whatsoever should be undertaken in regard to other Indian powers But such a policy was impossible Bengal was a part of India, and the facts of geography could not be disregarded Because he made treaties of alliance for the protection of the exposed north-eastern and south-eastern frontiers of Bengal, Hastings was branded as an ambitious schemer Yet his aim was certainly nothing but to secure peace He hated war He fought none but defensive wars, and these were caused by the interferences of the hostile majority of his Council, and by the insubordinate rashness of Bombay and Madras He desired no annexations of territory, the only considerable addition to the Company's dominions made during his rule, Benares, was annexed in defiance of his protest by the very men who charged him with being dominated by the lust of conquest

IV

The ill consequences of departing from these broad principles of Hastings' policy were very strikingly demonstrated in the next period. Hastings' successor, Lord Cornwallis, was an excellent specimen of the class of English landed magnates to which he belonged A man of the highest integrity and the most genuine public spirit, he was lacking in imagination, and could never escape from a sort of national and class complacency, which led him to believe that English institutions and customs represented the summit of human achievement, and that the English governing class of large landowners embodied all that was most excellent in English life His chief panacea for the ills of Bengal was the reproduction, in entirely alien surroundings of something as nearly approaching to the English landowning aristocracy as could be achieved Disregarding the traditional rights of village communities and peasant cultivators, which he did not under-

stand, he saw in the *zemindars*, or semi-hereditary district collectors of land-tax, the nearest approach to the English squirearchy, and by the Permanent Settlement gave them an inalienable control over their districts, now regarded as 'estates,' such as they had never possessed before It was a disastrous breach with the healthiest traditions of rural Bengal

Cornwallis came to India with orders, which had the sanction even of an Act of Parliament, to avoid all war and all entangling relations with Indian states He tried to obey, but it was impossible Encouraged by the isolation of the Company, Tipu Sahib s aggressions brought on a fierce war, and the man who had come out to reverse Hastings' policy made treaties with Tipu s rivals, and annexed wider territories than Hastings had ever touched But still the rule held that there must be no entangling relations and the result was that every state in India had in a few years been convinced that no reliance could be placed on the Company By 1798, stimulated by French intrigues the three greatest powers in India were ready to attack the British power Such was the result of non-intervention in Indian affairs—a result that would never have followed Hastings' policy

V

But the very danger of the situation which had been produced by abstention from defined relations with Indian states gave an opportunity to the masterful and self-confident spirit of Wellesley, a second man of genius who, like Hastings, appeared at the critical moment In 1798 non intervention obviously had to be abandoned if the Company was to survive, but Wellesley was not content to work merely for the security of the existing British dominion He conceived the grandiose idea of turning the Company from being only one among the Indian powers into the paramount power of all India By wars, annexations, and subsidiary treaties he brought all southern India and the Ganges valley under British rule, and did it in

five years. Only the loose spreading Mahratta confederacy still remained independent in 1801. The dissensions among the Mahrattas themselves enabled him to bring the Peshwa, the head of the Confederacy, and the Gaekwar, one of the secondary Mahratta princes, into the group of dependent states: when the other Mahratta princes combined to resist this, a brilliantly conducted war brought the two most powerful among them, Sindhia and Bhonsla, to their knees; and the programme would certainly have been completed, and the last great independent power in India reduced to subjection, if a check—the only important check he had encountered—had not provided the Directors with a pretext for recalling this terrible conqueror. They had watched his dazzling achievements with a sort of hypnotised dread. After having clamoured for a generation that they must be kept clear of all entanglements with Indian states, they found themselves faced by the appalling responsibility of being the paramount power of India, with the Great Mogul himself as their *pensioner*. *It was too much for them*; and they ran away from their responsibility at the first possible moment; just as they had earlier tried to escape from the responsibility of governing Bengal.

But the thing was done. However much they might dislike it, the Company had suddenly become the supreme power in all India. All that the Directors could do was to prevent the process from being logically completed, to leave three of the five chief Mahratta princes still independent, to order their representatives at all cost to abstain from interfering with these princes, and to refuse absolutely all offers of allegiance from the little vassal-states which begged to exchange Mahratta for British suzerainty.

This was an impossible compromise. It was not to be expected that the Mahrattas, who had themselves so nearly achieved the lordship of all India, should accept a position in which they were neither subjected nor left free to reconstitute and expand their confederacy. The wide expanse of hill and jungle over which their supremacy extended became the

haunt of great bands of armed raiders under their informal protection. These raiders, the Pindaris, not only inflicted a vast amount of suffering upon the subject territories of the Mahrattas, but continually raided the lands of dependent princes of the Company—lands which the Company was bound by treaty to protect; and, as their courage rose, they ventured even to invade territories under direct British rule. As long as possible the Company forbade its representatives to meddle with them, lest they should be involved in a Mahratta war. But this pusillanimity was not only unjust to those who looked to the Company for protection, but it encouraged the Pindaris to greater heights of audacity and led the Mahratta princes to plan a renewal of their confederacy. When at length the Company reluctantly permitted Lord Hastings to attack the Pindaris, he found that he had to deal with the Mahrattas as well. Thus, in the end, Wellesley's work had to be completed, with greater difficulty and at greater cost than would have been necessary in 1805; and when the war ended there came a far more complete subjugation, and an annexation of territory on a far greater scale, than Wellesley would have carried out. Once more a half-hearted and timid policy had led to a great storm and a huge increase of dominion. And now (1818) the Company was very definitely and unmistakably the supreme and sovereign power over all India to the south-east of the Sutlej and the Indus. Every prince within these limits had become a vassal, bound by treaty to submit his government to British supervision, to depend for his defence upon British arms, and to have no independent dealings with any outside powers. The Great Mogul himself, who was the symbol of Indian supremacy, and still sat in idle state in his fretted and jewelled marble palace at Delhi, issuing flowery rescripts as in the days of his ancestors, had now become the pensioner of the Company, as he had earlier been of the Mahrattas. To the Indian peoples that was the final proof of British supremacy.

VI

The realisation of the fact that the British nation had become responsible for the destinies of all India brought about a rapid change in the British attitude, both at home and in India, towards the problems of Indian government This change of temper is to be seen gradually rising from the time of Wellesley onwards, but it reaches its full expression in the period following the conquests of Lord Hastings, and especially during the 'twenties and early 'thirties of the nineteenth century During this period the main direction of British interests in India was in the hands of a remarkable group of men, perhaps the ablest group whom the Anglo-Indian service has ever produced They were all not merely practical administrators, but serious students of Indian history and Indian institutions Under their inspiration a real interest in and respect for Indian tradition and custom replaced the attitude of the generation of Cornwallis, and the land-settlements of Munro in Madras, of Elphinstone in the Peshwa's territories, and of Metcalfe in the Delhi district were marked by a complete abandonment of the attempt to reproduce the English land system in India, and an honest endeavour to strengthen and make the best of Indian usages The codification of Indian law was seriously undertaken in the years following 1833 The Indian Empire was no longer regarded as a huge property acquired by, or to be administered for the sole benefit of, the British people, but as a trust to be exercised for the benefit of the Indian peoples themselves It was laid down that Indians should be admitted to all offices for which they were fitted The Western conquerors, who had earlier feared to introduce Western methods and ideas lest they should alienate or discontent their subjects, began to adopt the view that it was their duty to give to India all that was best in Western civilisation, in so far as it was not actually hostile to the fundamental facts of Indian tradition Bentinck courageously attacked *sati* The State undertook the organisation of an educational system, and after long discussion

decided to use English as the main vehicle of instruction, but only because the Indian vernaculars could not be used to teach modern science Above all, the doctrine was adopted that the ultimate justification of British supremacy in India would be *the training of the Indian peoples to govern themselves* The mere maintenance of a barren ascendancy for its own sake ceased to be a desirable aim

This change of spirit was reflected in the attitude of the British people and Parliament towards Indian affairs A long series of enactments beginning with the Acts of 1773 and 1784, had already steadily increased the power of the British Government to intervene in the political affairs of the East India Company But the Company had still remained a commercial concern that existed primarily for the purpose of making profits, and it was inconsistent with the new attitude towards the Indian Empire that profit-making should be, even in appearance, the chief end of its nominal controlling body In 1833 the Company was forbidden to engage in trade, and thenceforward its Board of Directors became a superfluous wheel in the machinery of government The real controlling power now resided with the British Parliament and Cabinet It was the British nation which was now responsible for the right use of the wonderful fabric of Empire which blind fate, rather than design, had built up in the East

VII

But the peaceful development of the new ideas of government was interrupted or retarded for a time by the outbreak of a new period of war, the unhappiest and least defensible in the story of the British dominion in India The troublous dealings with the peoples of the north-west, Afghans, Sindians, and Sikhs, which occupied the years from 1837 to 1849 were not, like earlier wars, purely the outcome of Indian conditions They were governed largely, and in some parts of them wholly, by circumstances that lay outside of India, and in particular by the exaggerated fear of Russia, which was during these

years the dominant feature in British foreign policy, and which was to lead to the stupid blunder of the Crimean War Fear of Russian intrigues in Persia and Afghanistan led to the disastrous Afghan adventure of 1838–42 As, in order to reach Afghanistan, the British forces had to pass through the independent territories of the Amirs of Sind and the Sikh empire in the Punjab, relations with these states were made more difficult, their suspicions of British aggression were aroused, in spite of treaties, and the Afghan expedition led directly to the conquest of Sind, and indirectly helped to produce, among the Sikhs, the temper which led to their attack on the British territories after the controlling hand of Ranjit Singh had been removed by his death in 1839 When that attack took place, in 1845, the British Government had been brought to its senses, and had no desire for further warlike adventures Instead of annexing the territory of the defeated Sikhs, Hardinge did his best to re-establish an independent Sikh state But the unrest among the Sikhs, and their jealousy of the British power which seemed to surround them on all hands, was too deep-seated to be conjured away, and after the second Sikh war, Dalhousie was right in assuming that there was now no alternative to annexation Thus the whole valley of the Indus was, as a result of these years of warfare, added to the Empire, and it reached its natural boundaries in the Hindu Kush and the Suleiman Mountains

VIII

The fabric of the Indian Empire was now complete, and it was possible to return to the problem of organisation Under the confident and energetic direction of Dalhousie (1848–56) India entered upon a process of extraordinarily rapid change and development Railway and telegraph systems were created Irrigation was carried out on a scale unknown in any other part of the world, or in any earlier age of human history The development of popular education was pushed on with a rapidity hitherto unknown, and a group of Indian universities

was projected In the new province of the Punjab the great Governor-General seized the opportunity of providing a model for the enlightened government of a great eastern state on modern lines Impatient with the existence of the many native states where his devouring energy was not free to work, Dalhousie announced the definite policy of seizing every legal opportunity to bring these states under the direct control of the central Government, and on various grounds—most notably by refusing to recognise the ancient and deeply-rooted Hindu custom of adoption—he annexed states whose total area amounted to 150,000 square miles

But in all these activities, motived as they were by a genuine passion for good government, and a sincere zeal for the welfare of India, Dalhousie did not sufficiently count with the slow-moving conservatism of the Oriental mind, what is more serious, he forgot that sympathy and respect for Indian custom and opinion which had been one of the healthiest features of the previous age The rapid series of social and economic changes which he hurried on produced a feeling of unrest, a readiness to believe that the British power intended and desired to undermine the most ancient and venerated customs of India This feeling was greatly strengthened by his high-handed treatment of dependent states in his series of annexations And it gave body and colour to the particular grievances and alarms of the Sepoy soldiery, by whose arms all this amazing series of victories had been won So the vast upheaval of the Mutiny was in no small degree due to the over-eagerness of Dalhousie's reforming zeal This tragic episode—for, despite its magnitude, it was no more than an episode, and in no serious degree deflected the course of development of the Empire—was based upon misunderstandings and groundless fears Had it succeeded, it would have plunged India back into the chaos from which the rise of the British power had rescued the country But it taught some valuable lessons, and in particular the lesson that it is dangerous, and may be ruinous, to move too rapidly towards even the most laudable ends, especially in a country like India Above all,

it inevitably brought to an end the *régime* of the Company The Company's supremacy had long been nominal But it was something gained that the real relations between the British people and the peoples of India were clearly defined

With the abolition of the East India Company in 1858 our story comes to an end It is the story essentially of the establishment of the British dominion over India, of the gradual development of a system of government which enabled that dominion to bring great boons to the Indian peoples, and of the emergence among the rulers of this Empire of new ideas, at once more modest and more noble, of the functions which they were called upon to perform After 1858 the theme changes The Empire is complete and scarcely grows, the main threads of interest are now to be found in the steady increase of Indian unity, the steady development of material resources, the steady adoption of modern conceptions and methods, enabling India to play her part among the great states of the world, and above all the gradual substitution for the idea of dominion of the idea of partnership in that great brotherhood of free civilised nations which make up the British Empire The process is not complete, and will demand yet a long time But the glorious partnership of India with the other nations of the British Empire in the War of Civilisation has assuredly marked a great step forward in that development

CHAPTER I

PRELIMINARY

THE theme of this book is the growth and government of the British dominion in India under the direction of the East India Company, which became a territorial power, in an almost accidental way, in the middle of the eighteenth century No attempt will therefore be made to illustrate the history of the East India Company during its purely commercial period, which occupied the century and a half from 1600 The three passages contained in the present chapter are meant only to afford some illustration of the conditions precedent to the main story, without some understanding of which that story must remain unintelligible

The first excerpt is from the travels of Dr Fryer, who went out to India as a surgeon in the service of the Company, and describes the organisation and working of a typical factory of the Company as it was in 1696 The most important point to be noted is the extremely small salaries paid to the servants of the Company It is obvious that no one would spend the best years of his life so far from home for a salary of £10 or £20 *per annum*, under a bond for good behaviour of £500 or £1000 These salaries were little more than retaining fees, and from the first the Company's servants looked to make their income from private trade The terms of their indentures, printed in a later chapter (No 30), show that this system was fully recognised by the Company itself It is best to think of the Company's affairs as being administered, not by salaried agents, but by groups of individual traders, who in return for

a small *honorarium* with board and lodging, and favourable conditions for their own business, undertook to see that the Company's ships were supplied with suitable goods This system worked well enough while the Company was purely a trading body, under the effective control of the native governments But it was utterly unsuitable for the management of territorial possessions, and the evils of the first period of the Company's rule in Bengal (see Chapters II and III) are mainly to be attributed to the tardiness with which the Company recognised this fact

The second excerpt describes the defects of the native Indian government as seen by an Englishman who had an intimate knowledge of the country Written in 1753, Orme's analysis of Indian government describes the condition of things existing on the eve of the establishment of the British dominion in Bengal He treats India as a single vast Empire ruled by the Great Mogul at Delhi, the descendant of the house of Timur, which, since the time of the great Akbar in the sixteenth century, had exercised undisputed sway over northern India, and since the time of Aurangzib (1659–1707) had held a more or less nominal supremacy over the southern part of the country, the Deccan But, when Orme wrote, the mighty Mogul Empire had already fallen into ruin Its Nawabs, or deputies, had set up as independent princes Adventurers (like Hyder Ali in Mysore a little later) were carving out principalities from the chaos The fighting chiefs of the Mahratta race, who had been able, under Sivaji, to hold their own among the fortresses of the western Ghats against even the great Aurangzib, had, during the half-century since Aurangzib's death, established their power over the greater part of western and central India, while their clouds of raiding horsemen were feared in every part of India, from Tanjore to Bengal and Delhi, and collected *chauth* or blackmail from nearly every ruling prince The Mahrattas were Hindus in religion, and it seemed as if the supremacy of the Mahomedan conquerors, to which the mass of the Hindus had submitted since the eleventh century, and of which the Mogul Empire

was the last and greatest expression, was about to come to an end, and to be replaced by a Hindu-Mahratta supremacy Perhaps only the incapacity of the Mahrattas to develop an efficient system of government prevented this consummation But in the meanwhile the unceasing raids of the Mahratta war-bands intensified the chaos The existence of this chaos forced the European traders, English, French, and Dutch, to become military powers in self-defence The genius of the Frenchman, Dupleix, had seen that the small bodies of European-trained native troops which the trading companies maintained could be effectively employed in the constant strife of Indian princes and adventurers, and that by these means a political ascendancy and, as a consequence, commercial monopoly might without much difficulty be secured The dazzling success which Dupleix achieved between 1748 and 1751 in carrying out this programme, had alarmed the English, and had forced them, in self-defence, to adopt the same methods, with the result that they had succeeded in placing a prince under their protection on the throne of the Carnatic, while a French force under Bussy dominated Hyderabad, the capital of southern India Thus the European traders had become further elements in the confusion—new claimants for a share in the inheritance of the tottering Mogul Empire

It was thus an Empire in dissolution and confusion which Orme described What impressed him most in all this chaos was the absence of any impartial justice, and of any efficient means of protecting the weak against the strong In Orme's view, the Reign of Law, which is the very basis of Western civilisation, and the condition precedent to all healthy political life, simply did not exist in the India that he knew And this was to be the one supreme gift of the British power to the peoples of India—the greatest justification of the establishment of that power

The third excerpt, from a popular English magazine of 1757, has little historical value, except as an illustration of the way in which India appeared to the home-keeping Englishman It is the land of fabulously rich potentates, sitting on thrones

of jewelled gold, riding forth to hunt with trains of 10,000 followers, on elephants caparisoned in velvet and brocade The India of the patient, laborious and frugal *ryot* has not yet begun to reach his imagination, and it is not surprising that when the news of Plassey reached him, his chief expectation was that an inexhaustible stream of wealth must now pour into Britain The really surprising thing is, not that a people 7000 miles away, and represented in India by men whose primary business had always been the accumulation of private profits, should have permitted abuses at first, when this glittering Empire fell by chance into their hands, and should have made initial mistakes in dealing with the problem the surprising and wonderful thing is that these abuses should have lasted so short a time Within twenty years of the battle of Plassey Bengal had received from Warren Hastings the first outlines of a system of justice, logical, efficient, and impartial to a degree never known before Within sixty years almost the whole of India had accepted the Company as paramount power, corruption and the tyrannous abuse of authority had been banished from among its servants, and vast and populous regions enjoyed an immunity from war and a security of justice such as India had not seen for centuries, if ever That is the remarkable achievement which we are to trace in the following pages in the words of the men who brought it about

1 A Factory of the East India Company in the Days before the Conquest

From Fryer's "Travels," published 1696

The house the English live in at Surat, is partly the King's[1] gift, partly hired, built of stone and excellent timber, with good carving, without representations, very strong, for that each floor is half a yard thick at least, of the best plastered cement, which is very weighty It is contrived after the Moors'[2] buildings, with upper and lower galleries, terras-

[1] *I e* the Mogul's

[2] *Moor* was commonly used for *Mahomedan* by the Europeans in India down to the time of Warren Hastings

walks, a neat oratory, a convenient open place for meals The President has spacious lodgings, noble rooms for counsel and entertainment, pleasant tanks, yards, and an hummum to wash in, but no gardens in the city, or very few, though without they have many, like wildernesses, overspread with trees The English had a neat one, but Sivaji's[1] coming destroyed it, it is known, as the other factories are, by their several flags flying

Here they live (in shipping time) in a continual hurly-burly, the *Banyans*[2] presenting themselves from the hour of ten till noon, and then afternoon at four till night, as if it were an exchange in every row, below stairs, the Packers and Warehouse-keepers, together with merchants bringing and receiving musters, make a meer Billingsgate, for if you make not a noise, they hardly think you intent on what you are doing

Among the English, the business is distributed into four offices, the Accomptant, who is next in dignity to the President, the general accompts of all India, as well as this place, passing through his hands, he is quasi treasurer, signing all things, though the broker keeps the cash Next him is the Warehouse-keeper, who registers all Europe goods vended, and receives all Eastern commodities bought, under him is the Purser-marine who gives account of all goods exported and imported, pays seamen their wages, provides waggons and porters, looks after tackling for ships, and ships' stores Last of all is the Secretary, who models all consultations, writes all letters, carries them to the President and Council to be perused and signed, keeps the Company's seal, which is affixed to all passes and commissions, records all transactions and sends copies of them to the Company, though none of these, without the President's approbation, can act or do anything The affairs of India[3] are solely under his regulation, from him issue out all orders by him all preferment is disposed, by which means the Council are biassed by his arbitrament

The whole mass of the Company's servants may be comprehended in these classes, viz, Merchants, Factors, and Writers, some blewcoat boys also have been entertained under notion of apprentices for seven years, which being expired, if they can get security, they are capable of employ-

[1] Sivaji, the founder of the Mahratta power
[2] Native agents (see No 27 below)
[3] *I e* the affairs of the Company throughout India.

ments The Writers are obliged to serve five years for £10 *per ann* giving in bond of £500 for good behaviour, all which time they serve under some of the fore-mentioned offices After which they commence Factors, and rise in preferment and trust, according to seniority or favour, and therefore have a £1000 bond exacted from them, and have their salary augmented to £20 *per ann* for three years, then entering into new indentures, are made Senior Factors and lastly, Merchants after three years more, out of whom are chose Chiefs of Factories, as places fall, and are allowed £40 *per ann* during their stay in the Company's service, besides lodgings, and victuals at the Company's charges

These in their several seigniories behave themselves after the fundamentals of Surat and in their respective factories live in the like grandeur, from whence they rise successively to be of the Council in Surat which is the great council, and if the President do not contradict are sworn, and take their place accordingly, which consists of about five in number, besides the President, to be constantly resident

As for the Presidency, though the Company interpose a deserving man yet they keep that power to themselves, none assuming that dignity till confirmed by them, his salary from the Company is £500 a year, half paid here, the other half reserved to be received at home, in case of misdemeanour to make satisfaction, beside a bond of £5000 sterling of good securities

The Accomptant has £72 *per annum*, fifty pound paid here, the other at home all the rest are half paid here, half at home, except the Writers, who have all paid here

Out of the council are elected the deputy-Governor of Bombaim,[1] and agent of Persia, the first a place of great trust, the other of profit, though, by the appointment from the Company, the second of India claims Bombaim, and the Secretary of Surat the agency of Persia, which is connived at, and made subject to the will of the President, by the interest of those whose lot they are chusing rather to reside here, where consignments compensate those emoluments, so that none of the Council, if noted in England, but makes considerably by his place, after the rate of five in the hundred commission, and this is the Jacob's ladder by which they ascend

It would be too mean to descend to indirect ways, which

[1] Bombay

are chiefly managed by the *Banyans*, the fittest tools for any deceitful undertaking, out of whom are made broakers for the Company, and private persons, who are allowed 2 *per cent* on all bargains, besides what they squeeze secretly out of the price of things bought, which cannot be well understood for want of knowledge in their language, which ignorance is safer, than to hazard being poysoned for prying too nearly into their actions though the Company, to encourage young men in their service, maintain a master to learn them to write and read the language and an annuity to be annexed when they gain a perfection therein, which few attempt, and fewer attain (Fryer's *Travels*, original edition, p 83)

2 An Englishman's View of the State of India in 1753

(Robert Orme, the author of the following passages, was a Member of the Council of Fort St George (Madras) and an intimate friend of Clive A scholarly man, he studied the history and politics of India, and made diligent collections of material He is best known by his *History of the Military Transactions of the British Nation in Indostan* (3 vols), which is the classical authority for the war in the Carnatic The following passages are taken from an essay on the "Government and People of Indostan," published in his *Historical Fragments of Indostan*, and written in 1753)

Bk I Cap I Nature of the Government of Indostan in General

(P 397) Whoever considers the vast extent of the Empire of Indostan,[1] will easily conceive, that the influence of the Emperor,[2] however despotic, can but faintly reach those parts of his dominion which lay at the greatest distance from his capital This extent has occasioned the division of the whole kingdom into distinct provinces, over each of which the Mogul appoints a Vice Roy These Vice Roys are, in their provinces, called Nawabs, and their territories are again subdivided into particular districts, many of which are under the government of Rajas These are the descendants of such Hindu Princes, who, before the conquest of the kingdom,[3] ruled over the same districts The Hindus, having vastly the superiority in

[1] "Hindustan" is more strictly used only for the upper Ganges valley and in later documents it is used as a regional name excluding Bengal, the Deccan, etc Orme here employs it loosely as equivalent to all India

[2] *I e* the Mogul

[3] The Mahomedan conquests from the eleventh century onwards

numbers throughout the kingdom, have obliged the Moors[1] to submit to this regulation in their government

The Nawabs ought annually to remit to the throne the revenues of their province, which are either ascertained at a fixed sum, or are to be the total produce of the country authenticated by regular accounts, after deduction made for the expenses of the government If the officers of the throne are satisfied, which is oftener effected by intrigue, than by the justice of his administration, the Nawab continues in favour, if not, another is appointed to succeed him

On the temper of the Nawab or his favourites, depends the happiness or misery of the province On the temper of the King or his ministers, depends the security of the Nawab and his favourites The Rajas who govern in particular districts, are, notwithstanding their hereditary right, subject to the caprice and power of the Nawab, as the army is with him

Even this appointment of Vice Roys was found too weak a representation of the royal power in the extreme parts of the kingdom, to which orders from the court are three months in arriving This insurmountable inconvenience occasioned the subjecting several provinces, with their distinct Nawabs, to the authority of one, who is deemed the highest representative of the Mogul Princes of this rank are called *Subas* Nizam-ul Mulk was *Suba* of the Deccan (or southern) provinces He had under his government all the countries lying to the south of Aurangabad, bordered on the west by the Mahrattas and the Malabar coast, to the eastward extending to the sea The Nawabs of Condamore, Cuddapa, Carnatic, Yalore etc the Kings of Trichinopoly, Mysore Tanjore, are subject to this *Subaship* Here is a subject ruling a larger empire than any in Europe, excepting that of the Muscovite

The consequence of so large a dominion at such a distance from the capital has been, that an active, wily prince, could overwhelm the empire itself, which Nizam-ul-Mulk actually did

Aliverdi Khan the Prince of Bengal is a *Suba* He too lies at a vast distance from Delhi He is a great warrior and has never paid the court any tribute[2] The Mahrattas were sent as freebooters into his country, to divert him from attempting the throne itself He has, notwithstanding, been able to add to his kingdom the whole province of Patna,[3]

[1] Mahomedans

[2] It is doubtful whether this statement is true

[3] *I e* Behar

which before was dependant only on the King His relations are at this time the Nawabs of that province

Thus the contumacy of Vice-regents resisting their sovereign, or battling amongst themselves, is continually productive of such scenes of bloodshed, and of such deplorable devastations, as no other nation in the universe is subject to

If the subjects of a despotic power are everywhere miserable, the miseries of the people of Indostan are multiplied by the incapacity of the power to control the vast extent of its dominion

Cap II Particular Government of the Provinces

Every province is governed by a subordination of Officers, who hold from no other power than that of the Nawab *Nawab* (derived from *Naib*, a word signifying deputy) is a title which, at Delhi, none but those who are styled thus in a commission given by the King,[1] dare to assume In distant provinces Nawabs have governed, who have been registered as dead at Delhi A Nawab, though appointed by a Suba, ought to have his commission confirmed by the King, or one with an authentic commission appears to supplant him He then depends upon his own force, or the support of his Suba, and a war between the competitors ensues A Nawab is so far despotic in his government, as he can rely upon the protection of his sovereign or his superior Secure of this, he has nothing to apprehend, but poison or assassination from the treachery or resentment of his subjects

Nawabs more particularly attach themselves to the command of the army, and leave the civil administration to the *Diwan* *Diwan* is properly the judge of the province in civil matters[2] This office is commonly devolved on a Hindu, in provinces which by their vicinity or importance to the throne, are more immediately subject to its attention This officer holds his commission from the King But by the nature of the government of Indostan, where all look only to one head, he is never more than an assistant, he may be a spy, he cannot be a rival to the power of the Nawab He therefore comprehends in his person the offices of Prime Minister, Lord Chancellor, and Secretary of State, without presuming to advise, judge, or issue orders, but according to the will of his master, or to the influence which he has over it

[1] The Mogul [2] More correctly, the head of the Treasury

Under the *Diwan* is an officer called the *Bakhshi*, who is the paymaster of the troops, and the disburser of all the public expenses of the government This must be a post of great advantage

Revenues, imposts, and taxes, are levied throughout the country, by the appearance, if not by the force of the soldiers The other officers of the province are therefore more immediately military

Faujdar signifies the commander of a detached body of the army, and in the military government, is a title next to that of the Nawab As the governors of particular parts of the province have always some troops under their command, such governors are called *Faujdars*, although very often the Nawab himself holds no more than this rank at the court of Delhi, from whence all addresses to the rulers of inferior provinces, make use only of this term

Poligar, from the word Polum, which signifies a town situated in a wood, is the governor of such a town and the country about it, and is likewise become the title of all who rule any considerable town, commanding a large district of land This term is only used on the coast of Coromandel In other provinces of the empire, all such governors pass under the general title of *Zemindars*

A *Havildar* is the officer placed by the government to superintend a small village The *Havildar* plunders the village, and is himself fleeced by the *Zemindar*, the *Zemindar* by the *Faujdar*, the *Faujdar* by the Nawab, or his *Diwan* The *Diwan* is the Nawab's head slave, and the Nawab compounds on the best terms he can make, with his *Suba*, or the throne

Wherever this gradation is interrupted, bloodshed ensues

Zemindar, derived from *Zemin*, the word signifying lands, is the proprietor of a tract of land given in inheritance by the King or the Nawab, and who stipulates the revenue which he is to pay for the peaceable possession of it Such *Zemindars* are not now to be frequently met with, but the title everywhere, it is transferred to all the little superintendents or officers under the *Faujdar*

Kazi is the Mahomedan judge ecclesiastical, who supports and is supported by the Koran He is extremely venerated

Cap III Of the Lands

All the lands in the kingdom belong to the King therefore all the lands in the provinces are subject to the Nawab With him, or his representatives, farmers agree for the cultivation of such an extent, on reserving to themselves such a proportion of the produce This proportion is settled according to the difficulty or ease of raising the grain, and seldom exceeds a third.

On the coast of Coromandel, where excessive heats and infrequent rains exact the utmost labour to bring rice to perfection, if these farmers were not mildly dealt with, they would undertake nothing, and the whole country would be famished Here, therefore, encouragement is given to them, and the government will sometimes be at the expense of works to assist them in the labour of raising and conveying water through the land

The province of Bengal is the most fertile of any in the universe, more so than Egypt, and with greater certainty A stratum of the richest mould upon a bottom of sand, the equal level of the country, and not a stone to be picked up in the space of some hundred miles, whilst shells are found everywhere Such signs declare the soil to have been formed by the retreat of the sea, and in such a soil excessive rains falling at particular periods, cannot but render the cultivation of it to be scarce a labour

The country about Dacca, where the Ganges disembogues itself by a hundred mouths into the ocean, is alone sufficient to supply the whole province of Bengal with rice and every other part of the province, if duly cultivated, would produce exceedingly more than its occasions

Cap V Of the Administration of Justice in Civil Cases

(P 443) The superiority of their numbers in every province of Indostan, may have first given rise to the custom of devolving the office of *Diwan* upon a Hindu and the sense of their superior industry and abilities may have confirmed this custom, which nevertheless is not so absolute as to exclude the Moors entirely if any favourite of the Nawab hath application and capacity equal to the task, his being a Moor will certainly give him that preference, which a kind of necessity alone seems to have established amongst the Hindus

The *Diwan* is, by his office, the chief judge of the province from whose tribunal no appeal is made, as by suffering him to preside in the seat of judgment, it is known that the Nawab will confirm his decrees A Nawab, who through humanity is led to enquire into the condition of his subjects, may sometimes be seen to preside at the *Durbar* in person, during which time the *Diwan* has no authority but what the countenance of his master gives him No man is refused access to the *Durbar*, or seat of judgment, which is exposed to a large area, capable of containing the multitude here justice, or the appearance of it, is administered upon all but festival days, by the *Diwan*, if the Nawab is absent, or by a deputy, in the absence of the *Diwan* [1]

The plaintiff discovers himself by crying aloud, Justice! Justice! until attention is given to his importunate clamours He is then ordered to be silent, and to advance before his judge, to whom, after having prostrated himself, and made his offering of a piece of money, he tells his story in the plainest manner, with great humility of voice and gesture, and without any of those oratorical embellishments which compose an art in freer nations

The wealth, the consequence, the interest, or the address of the party, become now the only considerations The friends who can influence, intercede, and, excepting where the case is so manifestly proved as to brand the failure of redress with glaring infamy (a restraint which human nature is born to reverence) the value of the bribe ascertains the justice of the cause

This is so avowed a practice, that if a stranger should enquire, how much it would cost him to recover a just debt from a creditor who evaded payment, he would everywhere receive the same answer—the government will keep one fourth, and give you the rest

Still the forms of justice subsist witnesses are heard, but browbeaten and removed proofs of writing produced, but deemed forgeries, and rejected, until the way is cleared for a decision, which becomes totally or partially favourable, in proportion to the methods which have been used to render

[1] Orme does not seem to realise that strictly the Nawab and Diwan represented two distinct spheres of government the Nawab the military and police administration, the Diwan the financial administration with civil justice related thereto But this distinction had become confused since the decay of the Mogul Empire the Diwan nominally an independent agent of the Mogul, had in many cases become the creature of the Nawab, and sometimes acted simply as a sort of Prime Minister.

it such, but still with some attention to the consequences of a judgement, which would be of too flagrant iniquity not to produce universal detestation and resentment

Cap IX General Idea of the Oppression of the Government

Imitation has conveyed the unhappy system of oppression which prevails in the government of Indostan throughout all ranks of the people, from the highest even to the lowest subject of the empire Every head of a village calls his habitation the *Durbar*, and plunders of their meal and roots the wretches of his precinct from him the *Zemindar* extorts the small pittance of silver, which his penurious tyranny has scraped together the *Faujdar* seizes upon the greatest share of the *Zemindar's* collections, and then secures the favour of his Nawab by voluntary contributions, which leave him not possessed of the half of his rapines and exactions the Nawab fixes his rapacious eye on every portion of wealth which appears in his province, and never fails to carry off part of it by large deductions from these acquisitions, he purchases security from his superiors, or maintains it against them at the expense of a war

Subject to such oppression, property in Indostan is seldom seen to descend to the third generation

3 The European Idea of the Mogul Empire

From the "Universal Magazine," for June 1757

The riches and power of these monarchs (the Moguls) induced them to take the title of Grand Seignoir, or Emperor-King Those who fix the treasure of the Empire at the lowest valuation, make it to amount to three hundred or three hundred and fifty millions

His power is so despotic, that he has the sovereign disposal of the lives and effects of his subjects, his will is their only law it decides all controversies, without any persons daring to dispute it, on pain of death At his command alone the greatest lords are executed their fiefs, their lands, their posts and offices are changed or taken from them

Few days pass without his appearing at sun-rising, and the lords of his Court are obliged to be then in his apartment, in

order to pay him their homages He shows himself also at noon, to see the fightings of wild beasts, and at evening he appears at a window, from whence he sees the sun set With that luminary he retires, amidst the noise of a great number of drums and the acclamations of his people None are permitted to enter the palace but the Princes and great officers of State, who shew so great veneration for him that it is impossible to approach the most sacred things with more profound respect They accompany all their discourse with continual reverences, they prostrate themselves before him at taking leave, they put their hands on their eyes, then on their breast, and lastly on the earth, to testify they are only dust and ashes in respect to him They wish him all manner of prosperity as they retire, and go backward till they are out of sight

When he marches at the head of his army, or takes the diversion of hunting, he is attended by above ten thousand men About one hundred elephants, covered with housings of scarlet velvet and brocade, march at the head of this little army each carries two men, one of whom governs the animal, by touching his forehead with an iron hook, the other holding a large banner of silk embroidered with gold and silver, the first eight carry each a kettle-drum In the middle of this troop the monarch rides, sometimes mounted on a fine Persian horse, sometimes in a chariot drawn by two white oxen, whose large spreading horns are adorned with gold, and sometimes in a *palanquin* supported by men The Princes and great officers compose his retinue, and have five or six hundred elephants, camels or chariots following them, loaded with baggage

The royal palace at Dehlie is said to be four leagues in circumference, and fortified on every side After passing several courts and streets, separated by different gates, we at last arrive at the apartments of the *Mogul*, which are in the center of the building In the first salloon is a balustrade of silver, where the officers of the guard are posted, nor are any except the great lords of the Court permitted to enter farther, without orders This leads into the chamber of ceremony, where there is another balustrade of gold, inclosing the throne of massy gold, and profusely enriched with diamonds, pearls and other precious stones None but the King's sons are permitted to enter this balustrade, or to fan themselves, in order to cool the air and drive away the flies

The Empire of the *Great Mogul* is divided into forty provinces, all which, except two, have titles of kingdoms, and their names generally derived from that of the capital

But, amongst this great number of provinces, some do not depend entirely on the *Great Mogul*, but whose inhabitants form small separate States, living under Princes whom they call Rajas or Nawabs, or under a sort of republican government But all are vassals or tributaries to the *Great Mogul* though they do not always think themselves under an obligation of consulting him every time they make war against a neighbouring State, or any European Settlement that may happen to be in their Province

(Printed by S C Hill, *Bengal in 1756-7*, iii 98)

CHAPTER II

THE EAST INDIA COMPANY AS KING-MAKER

Power without Responsibility

1756–1765

BETWEEN 1750 and 1760 the East India Company, without desiring or intending any such result, found itself in the position of the controlling power in two important regions of India, the Carnatic (which is the coast land of the south-east) and Bengal, the fertile and populous delta of the Ganges This unexpected result came about through the interventions of the Company in Indian politics and war but these interventions were in both cases forced upon the Company, not spontaneously undertaken In the Carnatic, intervention was dictated by the necessity of self-defence against the bold schemes of the French under Dupleix, who threatened to obtain such a hold over the native powers as would enable him to make the British position untenable In Bengal it was the result of an attack by the young Nawab Siraj uddaula, who was alarmed by the progress of European power in the south, and determined to destroy it in Bengal before it became too dangerous The result in each case was that the British, hitherto inclined to regard the native powers with a good deal of fear found that with small forces, under such competent leadership as that of Clive, they could always get the better of the huge, unorganised and often disloyal armies of the Indian princes They used their victories to place on the thrones of these provinces rulers who would be favourable to their interests, and who, in fact, were forced to recognise that their very existence was at the

mercy of the Company Mahomed Ali in the Carnatic, from 1753, Mir Jafar in Bengal, from 1757, knew themselves to be in this position in 1760 Mir Jafar, being found unsatisfactory, had to evacuate the throne to make way for another nominee of the Company, Mir Kasim, and when in 1763 Mir Kasim showed himself too independent, he in his turn had to disappear

It is only the action of the Company in Bengal that is illustrated in this chapter, partly because to deal adequately with the Carnatic would involve a full treatment of the struggle with the French from 1744 to 1763, for which we have not space, partly because the position of dominion achieved in Bengal was much more complete than in the Carnatic, and formed the real base for the subsequent expansion of the British power, mainly because the treaties and contemporary narratives relating to Bengal provide the clearest illustration of the way in which the trading Company gradually developed into a territorial power The Carnatic story can perhaps best be studied in Orme's great *History of the Military Transactions of the British Nation in Indostan*

The Bengal story begins with the alarm caused among the English at Calcutta by the hostility of the young Nawab Siraj-uddaula, who succeeded to the rule of Bengal in April 1756 These fears are expressed in Holwell's dispatch (No 4) Then follows Siraj-uddaula's attack upon Calcutta and the tragedy of the Black Hole, as recorded by the French Governor of Chandernagore (No 5), who was a hostile witness, and by Holwell, who was one of the few survivors of the Black Hole (No 6) Holwell's vivid and famous narrative of the Black Hole is omitted from considerations of space, but is easily accessible in many forms—*e g* in Mr S C Hill's *Bengal in 1756–7*, a useful collection of documents, which contains many independent accounts of the episode After the fall of Calcutta a force under Clive, brought from Madras, compelled Siraj-uddaula to sign a treaty promising redress and giving more favourable terms to English trade (No 7) Siraj-uddaula's failure to fulfil this treaty, and his generally hostile attitude,

led to the opening of intrigues with his dissatisfied ministers, and finally to the campaign of Plassey These events are described in dispatches from the Secret Committee at Calcutta (No 8) and from Clive himself (No 9)

The victory of Plassey was followed by the enthronement of Mir Jafar, Paymaster of the defeated Nawab, who then gave effect to a treaty of permanent alliance with the Company which he had previously signed (No 11) and distributed vast presents to its principal servants (Nos 12, 13)

Neither the Directors in England nor their representatives in India dreamed, even after Plassey, that they had laid the foundations of a great territorial empire, nor did they feel any responsibility for the government of the huge area which had now passed under their control Clive, indeed, with the boldness characteristic of him, realised that direct British rule must be the outcome of the new situation, and in 1759 wrote to the great Pitt urging that the Crown should assume responsibility (No 14) But no one was yet ready for such a step In the eyes of almost everybody all that had happened was that a favourable Nawab had been substituted for an unfavourable one The Directors rejoiced in the prospect of a monopoly of export trade, their servants in the chances of immense private profits but nobody thought of interfering in, or taking responsibility for, the conduct of a government This was still, as before, in the hands of the Nawab and his officers

But the position in which the English agents found themselves was such as to present terrible temptations to men whose sole purpose in India was the making of profits, who were paid absurdly small salaries, and who now found that the whole trade and population of a huge province lay at their mercy They had before 1757 been in the habit of engaging in local trade through their *banyans* or native agents, and there had been many complaints of their misuse of the *dastaks*, or free passes, which had been allowed since 1717 for goods belonging to the Company and intended for export These *dastaks* had never been intended to cover local trade, but

they were now abused on a wholesale scale, not only by the servants of the Company but by native traders who paid for the right The Nawab's officers dared not question an English *dastak* or a boat with an English flag His revenues shrank, and legitimate Indian trade was ruined by unfair competition Moreover the servants of the Company, presuming on their position, behaved like bullies wherever they went, and the Nawab's treasury was depleted by the demands for "presents" which they made These evils, as described by Englishmen themselves, are amply illustrated in Nos 17-24

Under such conditions, no native government could have succeeded But Mir Jafar, the Nawab set up after Plassey was a nerveless and incompetent person He had not the courage to check the misbehaviour of the English servants But in a helpless and futile way he took part in intrigues against the Company Bengal during his reign was repeatedly attacked by the Shahzada, the exiled son of the Mogul, who found supporters among many of the *zemindars*, it was attacked also by the Mahrattas Mir Jafar was unable to defend the country with his own resources his only protection was the Company's arms But every such intervention made the control of the Company over Bengal more unmistakable and the restraining of its servants more difficult, while the burden of maintaining these troops formed a heavy drain upon the Company's resources, and Mir Jafar (whose treasury was exhausted) could not defray these charges Bengal had thus fallen into a state of utter anarchy and misery, the presence of the English traders, and their exactions, increased the anarchy while their arms prevented the outbreak of a revolution or a foreign conquest, which might have restored order

Clearly Mir Jafar's government was a failure (No 15) But the Company and its servants did not attribute this to the system of divided authority They blamed Mir Jafar himself, and decided that a transfer of authority to less nerveless hands was necessary Accordingly the Nawabship was transferred —with an ease which showed how complete was the Company's

mastery—to Mir Kasim, son-in-law of Mir Jafar, with whom a new treaty was made (No 16) providing for the cession of lands to meet the cost of the Company's armies

Mir Kasim was a much abler and more vigorous man than his father-in-law Backed by the honest and well-meaning Governor Vansittart, he brought about many improvements (No 22) But efficient government involved the laying of restrictions on the activities of the Company's servants and their Indian agents, and thus brought upon Mir Kasim the bitter hostility of the majority in the Council at Calcutta, who had the power to override the well-meaning Governor In vain did Mir Kasim complain of their high handed acts (No 17), in vain did the Governor try to mediate (No 18) Vansittart got no support in the attempt to deal fairly with the Nawab except from Warren Hastings then Resident at Kasimbazar (Nos 19 20) In particular the servants insisted upon using the privilege of the *dastak* meant only to cover goods for export, to exempt their own local traffic carried on in competition with the Indian merchants, from the payment of all duties The result of this must have been the ruin of all the Indian merchants When Vansittart and Hastings arranged a compromise with the Nawab, the Council refused to accept it Thereupon Mir Kasim, in fairness to his own subjects, abolished trade dues altogether The Council actually demanded that the duties should be re-established, and only Vansittart and Hastings protested, quite in vain, against this monstrous injustice (No 21) Mir Kasim began in desperation to prepare to fight But the struggle was precipitated by the chief among his enemies, Ellis, the Resident at Patna, who seems deliberately to have aimed at war, in order that the obstacles to the private traffic of himself and his friends might be removed (No 22) Driven frantic, Mir Kasim murdered a number of English prisoners captured at Patna This made it impossible even for Vansittart to support him further Poor old Mir Jafar was once more reinstated The Company's armies drove Mir Kasim out of Bengal, and when the Nawab of Oudh, with the Shahzada (who had now succeeded to the

title of Mogul) in his train, came to his aid, the united forces were utterly defeated at the brilliant fight of Buxar, 1764 Buxar finally riveted the shackles of Company rule upon Bengal Not only that, but it placed Oudh also at the mercy of the Company

This shameful story marks the final establishment of British ascendancy in Bengal And it shows that ascendancy as (at this stage) nothing but a curse to the inhabitants of that unhappy province The inefficiency of the native government had been made tenfold worse, its already disorganised finances and system of justice were in utter chaos, its authority was completely undermined, and the new conquerors, far from doing anything to cure the anarchy, were proving themselves to be the worst of all the curses from which Bengal had suffered since the collapse of the Mogul Empire

This was the result of Power divorced from Responsibility Since the Company could not be expelled from Bengal, and since it was obviously impossible to expect that they should voluntarily withdraw, the only chance of improvement was that those who enjoyed Power should be made to assume the Responsibility for its exercise That was the obvious moral in 1764, but scarcely anybody yet perceived it

4 Siraj-uddaula's Attitude towards the English

From Mr J Z Holwell to the Court of Directors, November 30, 1756

(John Zephaniah Holwell, an ex surgeon, had entered the Company's service in 1752, and was now Zemindar, or native magistrate, for Calcutta He is said to have been the only member of Council who had any real knowledge of Indian ideas and customs, and had earned popularity among the Indians by his judicial reforms He acted as governor during Siraj uddaula s attack, and was one of the few survivors of the Black Hole)

The truth is, his (Siraj-uddaula's) jealousy of the independent power of the Europeans in his country was at this juncture confirmed, which he was determined to reduce, and being sensible ours was the most formidable to him, we became the first objects of his ruinous politicks To support this my conclusion, I must here refer to three letters which

Wazid's *gomasta*[1] in my presence read your President, (copys of which, I believe, is in Mr Drake's possession) addressed to his master Wazid from the *Suba*,[2] all three to the best of my remembrance bearing date in May last. In each of these he avows his intention to reduce the power of the English, forbids his (Wazid's) interfering on their behalf, asserting his having long intended it and swears by God and His prophets, that he will drive them out of the country unless they are satisfyed to trade in it on the footing they did in Jafar Khan's[3] time, by which he meant before the time the Honourable Company obtained their *firman*.[4] Your fort at Kasimbazar, (esteemed by all judges more regular and tenable than that of Fort William) so near his capital, appeared too dangerous a hold at a time he was influenced to believe our strength in India was four times more formidable than it really was, and that we were on the eve of a French war, which would be probably brought into his country. Consistent with this was his expression of resentment, at Rajmahal on receipt of your President's letter 'Who shall dare to think of commencing hostilities in my country, or presume to imagine I have not power to protect them?' and it was current in the mouths of all degrees, when I was at Murshidabad, that Mahabat Jang[5] had long meditated to destroy the forts and garrisons of the Europeans, and to reduce their trade on the footing of the Armenians. And here I hope it will not be deemed impertinent, if I recite, *verbatim*, the last discourse and council which Mahabat Jang gave his grandson a few days before his death and which I had from very good authority at Murshidabad after my releasement.

'My life has been a life of war and stratagem. For what have I fought, to what have my councils tended, but to secure you, my son, a quiet succession to my *subadari*? My fears for you have for many days robbed me of sleep. I perceived who had power to give you trouble after I am gone hence. ... Keep in view the power the European nations have in the country. This fear I would also have freed you from if God had lengthened my days.—The work, my son,

[1] Agent.

[2] *Suba* strictly, one of the great provinces of the Mogul Empire; often used for *Subadar*, the ruler of such a province. The word *Nawab* (viceroy) is also used.

[3] Murshid Kuli Jafar Khan, Nawab of Bengal 1704–26.

[4] The *Farman* of 1717 by which the Company obtained freedom of trade for its goods for export and the right of issuing *dastaks* or passes, for such goods.

[5] Aliverdi Khan, grandfather and predecessor of Siraj uddaula.

must now be yours Their wars and politicks in the Telinga country[1] should keep you waking On pretence of private contests between their kings they have seized and divided the country of the King[2] and the goods of his people between them Think not to weaken all three together[3] The power of the English is great, reduce them first, the others will give you little trouble, when you have reduced them Suffer them not, my son, to have fortifications or soldiers if you do, the country is not yours '

(Hill, *Bengal in 1756–7*, ii 15)

5 SIRAJ-UDDAULA CAPTURES CALCUTTA

From the French Council at Chandernagore to the Superior Council in the Isle of France, December 16, 1756

(Chandernagore was, and is, the principal French factory in Bengal, a few miles north of Calcutta It should be remembered that at the date of this letter the outbreak of war between the French and English was imminent)

We think, gentlemen, you will be astonished to learn the principal circumstances of the revolution which has just driven the English from all their Settlements in Bengal We will give you a very brief account of them

The Nawab, Siraj-uddaula having contrary to every one s expectation, succeeded his grandfather Aliverdi Khan, in the month of April, as *Suba* of Bengal, the English had speedily a most terrible experience of the violent and passionate nature of this young Prince, whom they had irritated by their arrogance and the shelter they had given to one of his enemies Driven to extremities by their bravados, he first treacherously seized a little fort which they had near the capital, and then came with a formidable army to besiege them in Calcutta, which was their chief settlement on the Ganges

The vanity of the English having persuaded them the Moors[4] would never dare to venture so far, they were so surprised and terrified that they lost their heads and could not profit by any of those advantages which Europeans have over such contemptible troops Though numbering 600 whites, well provided with all sorts of munitions and sheltered

[1] Here means Southern India

[2] The Mogul

[3] *I.e.* English, French, and Dutch

[4] The Europeans in India at this period habitually used the word "Moors" for "Mahomedans."

in a regular fort, they made scarcely any resistance at all after the Nawab's arrival The Governor himself, Mr Drake, with the Commandant of the troops, the greater part of the Council, officers and inhabitants, and all the women took refuge on board the ships which were in the port The few soldiers who had remained in the fort, refusing to recognise any authority, disorder prevailed to such an extent that the white flag was displayed on the afternoon of the 20th, i e after three days' siege But the Moors before the capitulation was arranged crowded to the gates and, as no one fired on them easily burst them in and entered, killing all who tried to resist The plunder in the Settlement and fort was immense as the English had not taken the precaution to embark their wealth

That was, so to say only the beginning of their ills The prisoners to the number of 200 having been hurriedly shut up in a warehouse were almost all suffocated in one night Those who survived, especially the chief men after having suffered all kinds of misery and after having been dragged in chains to Murshidabad, the capital of Bengal were sent back (to us) by the Nawab in the most deplorable condition, which we tried to alleviate in every possible way

The lot of those saved in the ships has been hardly less wretched Having with difficulty gained the mouth of the river, they have since endured all the bad weather of the Rainy Season, and at the same time been embarrassed by the numbers of women and children with whom their ships were crowded This joined to the bad provisions which were all they could obtain, quickly caused a kind of pestilential sickness which carried off many of them

The capture of Calcutta drew with it the ruin of all the small factories which they possessed scattered over Bengal, and now they do not retain a single establishment in this kingdom Since this sad revolution only one vessel has arrived from Europe It brought them 250 men from Madras, but this reinforcement not being large enough, they have planned no enterprise so far They expect every moment the arrival of a squadron of six ships of war and five of the Company's, which left the Coast[1] on October 14, and which brings them 1000 Europeans and 3000 sepoys There is no doubt that with these forces they will be strong enough to retake Calcutta, which is now defended by only a small

[1] I e of the Carnatic

number of Moors But besides the fact that its capture will not recoup them the colony being entirely ruined and plundered, it is not certain that they will be able to maintain themselves in it against all the forces of the Nawab

(Hill, *Bengal in 1756–7*, ii 57)

6 The Siege of Calcutta

Letter from Mr J Z Holwell to the Councils of Bombay and Fort Saint George, Murshidabad, July 17, 1756

Honourable Sir and Sirs—Little capable as I am in my distressed situation of executing a task of this kind it yet cannot be neglected, consistent with my duty to my Honourable Employers, and the trust last devolved on me at their Settlement of Fort William, now theirs no more

Our factory at Kasimbazar being given up to the Nawab the 4th of June last (by the most unhappy and unaccountable infatuation in our Chief and Council there) the foundation of our ruin was laid, the accession was too great to the Nawab to be relinquished, and he was sensible he must relinquish it, as well as restore our money and goods seized at the different *aurangs*,[1] or entirely extirpate us from the provinces The cannon, ammunition, and military stores he became possessed of at Kasimbazar determined him to the latter, and as he expected some succours might reach us from the Coast, he marched against us with the whole force of his provinces, consisting by the best accounts we have since acquired of 30,000 horse and 35,000 foot with about 400 elephants of war On the earliest notice of his real intentions, we made all the dispositions in our power for his reception,—though I believe never was fortress less defensible, encumbered with houses close round us, and not a proper esplanade for our guns, no time possibly to pull the houses down to remedy this evil, advanced posts were appointed, ditches sunk, breastwork thrown up and (advanced) batteries raised at three principal posts We had flattered ourselves that we should have mustered between 5 (or) 600 effective men Europeans, blacks, and militia, inhabitants and those belonging to the shipping, but to our utter astonishment when our military roll was returned in Council it consisted only of 45 of the Train[2] and 145 infantry and in both only 60 Europeans,

[1] Collecting stations for goods [2] *I.e.* Artillery

in the militia were about 100 Armenians who were entirely useless, and more than that number amongst the black militia boys and slaves, who were not capable of holding a musket, so that in fact when the seafaring people, who most of them appeared only at the first muster, were draughted off on board the vessels (of which we had in port about 30 sail of every craft at least) our garrison did not consist of 250 fighting men, officers included (*A detailed account follows of the fighting between the 7th and 18th June, showing how the Nawab's troops gradually overpowered the outposts and drew near to the fort*) This evening (18 June) at a council of war it was resolved to embark the Company's treasure, books and the European ladies and further agreed that the ships should remain under the guns of the fort Messrs Manningham and Frankland, the first Colonel and the other Lieutenant Colonel of the militia, conducted the ladies on board and I understood were to return, when they had reconciled the ladies to their situation, but they never returned again no more did (five) officers of the militia, besides about 15 of the volunteers and many of the militia who deserted the fort this day and the succeeding morning On the 18th more advanced in the night, we held another council of war and the Captain of the Train being ordered to make a return of the ammunition, we were thunderstruck when he reported there was not full three days ammunition in the garrison The debate then turned on the question whether a retreat with the garrison and all the Company's effects could be attempted that night, but so much of it elapsed in debate that it became impracticable untill the next, when myself, and I believe every body else present, judged the retreat was determined to be carried into execution In the morning of the 19th our President Mr Drake, (and several others) privately withdrew out of the back gate, deserted the factory and embarked on board the shipping, which immediately weighed and stood down the river without leaving us a single boat at the *ghat*[1] or possibility of making a general retreat and this before any one attack had been actually made on the fort On the Governour etc 's desertion being known the garrison fell into the utmost confusion and tumults, when the gentlemen remaining of the Council, officers, and others entreated I would immediately take upon me the government of the fort, as the only means of quieting the present tumults which must have ended in the

[1] Landing place

destruction of the whole A council was directly called and we suspended the President and the gentlemen of the Council and officers with him from the Company's service, it being the only just piece of resentment in our power, for the cruel piece of treachery they had been guilty of to the whole garrison as well as breach of trust to their Employers We like wise sent an order to Captain Hague, Commander of the Company's ship *Saint George* stationed at Bhag Bazar to weigh and immediately drop down opposite the lane between the new *godowns*[1] of the factory and the Company's House but the pilot neither that day nor the next would undertake to bring her lower than opposite to Mr Watt's house where she was useless to us To return to our situation, the 19th, after the President s desertion from Council, I had hardly gone round the ramparts before the enemy attacked the fort incessantly the whole remainder of the day from their batteries and small arms The 20th in the morning the enemy formed three assaults at once From each of these assaults they were beat off with great loss to them before noon and a general cessation in a manner ensued for some hours, when finding we had 25 killed and 70 more of our best men wounded and our Train killed, wounded and deserted to all but 14, and not two hours' ammunition left, we threw out a flag of truce towards the evening, intending to amuse the enemy and make the best retreat we could in the night to the *Saint George*, not then knowing that she was on a sand

During the parley our back gate was betrayed to the enemy in concert—I judge—with some that had deserted the preceeding night from the walls and those who had the guard of that gate, who were obliged to wrench off the locks and bolts, the key being in my possession In this situation we had nothing left to resolve on but a surrender at discretion

Thus I have transmitted to your Honour etc as circumstantial an account of this melancholy event as my state of body and mind will at present permit me Of the enemy we killed first and last by their own confession 5000 of their troops and 80 *jamadars*[2] and officers of consequence exclusive of the wounded The resistance we made and the loss they suffered so irritated the Nawab that he[3] ordered myself and

[1] Warehouses [2] Indian officers

[3] In charging Siraj uddaula with personal responsibility for the outrage of the Black Hole Holwell does him an injustice. The Nawab was sixteen miles away when the order was given

all the prisoners promiscuously to the number of about 165 or 170 to be crammed altogether into a small portion of the fort called the Black Hole, from whence only about 16 of us came out alive in the morning the rest being suffocated to death. Myself, Messrs Court, Walcot and Burdet were sent to the camp the 21st in the morning, there put in irons and marched three miles to town the 22nd, in the sun and our irons, with no covering to our heads, and hardly any to our bodies. At the Dock Head we were detained the 22nd, 23rd, and 24th, and the evening of that day put on board an open boat for this city destitute of a rupee or any necessary of life. The humanity and friendship we received here from the gentlemen of the French and Dutch factorys will ever require our most grateful remembrance.

It only remains that I inform your Honour etc. that at the first approach of the troubles we wrote to Chandernagore and Hugli[1] to join us in a cause we deemed common, and pressed their assistance with men and ammunition, the answer that we received from Hugli was that they were ordered by their Principals to remain neuter in all disputes of this kind with the Government. From Chandernagore the answer was more favourable but of equal utility to us, for when we pressed them for ships and ammunition they genteely refused us and pleaded their own weakness. Neither were we deficient in writing letter after letter to the Nawab, making him every concession in our power, of which he took not the least notice nor returned one answer. I am etc.,

J. Z. Holwell.

(Hill, *Bengal in 1756–7*, i. 109.)

7. Treaty with Siraj-uddaula. February 9, 1757

(A naval and military force under Admiral Watson and Colonel Clive recaptured Calcutta on January 2, 1757. On February 4 Clive defeated the Nawab's army, and Siraj uddaula accepted a treaty of which the following are the principal articles.)

1. That the Company be not molested upon account of such privileges as have been granted them by the King's[2] *Firman* and *Hasb-ul-hukm*.[3]

2. That all goods belonging to the English Company, and

[1] *I.e.* to the French and the Dutch factories.
[2] *I.e.* the Mogul's.
[3] Order.

having their *Dastak*,[1] do pass freely by land or water, in Bengal, Behar, and Orissa, without paying any duties or tolls of any kind whatsoever, and that the *Zemindars*,[2] *Chaukidars*,[3] *Guzar-bans*,[4] etc, offer them no kind of molestation upon this account

3 That restitution be made to the Company of their factories and settlements at Calcutta, Kasimbazar, Dacca, etc, which have been taken from them That all money and effects taken from the English Company, their factors or dependents, at the several settlements and *Aurangs*,[5] be restored in the same condition That an equivalent in money be given for such goods as are damaged, plundered, or lost, which shall be left to the Nawab's justice to determine

4 That the Company be allowed to fortify Calcutta in such a manner as they shall esteem proper for their defence, without any hindrance or obstruction

(Aitchison, *Treaties and Sanads* (4th Ed), i 181)

8 The Renewal of War with Siraj uddaula

(Friendly relations with Siraj uddaula did not last long From the first he failed to carry out the terms of the treaty When the Seven Years' War began between the French and the English and Clive attacked and captured Chandernagore, Siraj uddaula gave help to the French Meanwhile a conspiracy against the Nawab had begun among his officers, especially Mir Jafar, his *bakhshi* or Paymaster These events led up to a renewal of war The events preceding the war, and the reasons for undertaking it, are described in the following dispatch, the dispatch also includes an account of the campaign and its results, which is omitted. Of the signatories to the dispatch, Roger Drake had been in the service since 1737, and was the Governor who ran away during the siege of Calcutta Richard Becher had been in the service since 1737, and was Import Warehouse keeper)

Letter from the Select Committee, Fort William (Calcutta) to the Secret Committee, London July 14, 1757

Honourable Sirs,

2 This letter is purposely to acquaint you of a happy revolution in the Government of this kingdom in favour of Jafar Ali Khan, of the part we took in this affair, and our motives for it, and of the advantages obtained by espousing the present *Suba's* cause and placing the sway in his hands

3 On the first of May Collonel Clive laid before us two

[1] Pass.
[2] District collectors of land revenue
[3] Collectors of Customs
[4] Collectors of ferry tolls
[5] Collecting stations for goods, sub factories

letters he had received from Mr Watts[1] dated the 26th and 28th of April in which after some observations on the strangeness of the Nawab's behaviour, and that all degrees of people were perswaded he would break with us upon the first favourable opportunity, he proceeds to inform the Collonel that Jafar Ali Khan[2] had sent for Khwaja Petrus[3] and given him to understand that most of the Nawab's principal officers were tired of his government and ready to desert him and set up another, if we would countenance and support the confederacy with the assistance of our troops, that if we approved of this scheme he desired our demands of what monies, lands, etc would induce us to engage in the business In the last of the above mentioned letters Mr Watts repeats his apprehensions of the Nawab's design to break the treaty he made with us, urges a speedy answer be sent to Jafar Ali Khan's proposal, and gives it as his opinion the project was feasible and might be executed without much difficulty

4 As a proposition of this importance required our most serious consideration we accordingly debated maturely the consequences of embracing this offer and whether it should be accepted or declined After a long consultation it was the unanimous sense of the Committee that a revolution in the Government (whatever hands it fell into) would be advantageous to the English, that there could be no hurt in trying to effect it, as our good understanding with Siraj-uddaula was extremely precarious, and a rupture with him universally expected as soon as the squadron and army left us, and that, by joining Jafar Ali Khan to supplant him, we should obtain in all probability very beneficial terms for the Company as well as live free of any apprehensions from the country government But as these general reasons would not have justified our embarking the Company in such an undertaking and hazarding a breach with Siraj-uddaula after concluding the Peace we did, we think it necessary to recite at large our motives for engaging in a confederacy to change the government

5 First it was evident to us from the whole tenour of the Nawab's behaviour since the Peace, that we could not possibly rely on his friendship, and that the treaty made with him would

[1] Agent of the Company at Kasimbazar which was close to Murshidabad, the Nawab's capital He conducted negotiations with the court

[2] Mir Jafar, brother in law of the late Nawab and Bakhshi or Pay master

[3] A rich Armenian merchant and moneylender

soon be violated when once he thought himself superior to us in strength His delay in performing the agreement, many of the Articles being at that time as far from being completed as at first, the evasion of giving us any satisfaction for the losses suffered by our inhabitants, with several other parts of his conduct, were so many convincing proofs that his friendship was unsincere and that he would not abide by his treaty which the exigency of his situation alone inclined him to make

6 Secondly, there was the greatest reason to imagine he was an utter enemy to the English and privately endeavouring to bring in the French with promises of joining them against us We were confirmed in this opinion from the great aversion he showed to our molesting the French at Chandernagore, his espousing and protecting Monsieur Law [1] and his party after that place was taken, his keeping them in his pay, and the certain intelligence we have received from all quarters of his writing frequently to Monsieur Bussy,[2] sending him large presents and inviting him to march this way this was so notorious that it was publickly talked of and known, his *kasids*[3] passing almost daily through Balasore, and but a few days before some elephants and *saropas*[4] arrived at that place within passage to Monsieur Bussy's camp

7 Lastly, there was great room to think he did not mean well by the orders he had given to fortifye Katwa[5] and the removing of Sarfaraz Khan's family from Dacca into Purnea, the interruptions our boats and people met with in their way to Kasimbazar contrary to the treaty of Peace, with many actions of the same nature which put it beyond all doubt that his dislike and jealousie of our nation was rooted, and that he would not miss any opportunity of ruining our affairs and extirpating the English out of his country it was therefore but common prudence to prevent our own ruin, which could not be done so effectually any other way than by divesting the Nawab of the power of hurting us

8 Another inducement to undertake this affair was the universal hatred of all sorts and conditions of men to Siraj-uddaula, the affection of his army alienated from him by his ill usage of the officers, and a revolution so generally wished

[1] Jean, Baron Law of Lauriston nephew of the financier, head of the French factory at Kasimbazar

[2] The Marquis de Bussy in command of the French force maintained by the Nizam at Hyderabad

[3] Couriers

[4] Dresses of honour

[5] A fort south of Plassey, i.e between Chandernagore and Murshidabad.

for, that it is probable it would be attempted (and perhaps successfully) even without our assistance, in which case it would have availed us but little, whereas by countenancing the confederacy and supporting it with our whole force we might make our own terms, benefit our Employers both by present and future advantages, do a general good, procure some satisfaction to the inhabitants of our Colony for their heavy losses in the capture, establish the tranquillity of the country, and by that means open a greater currency than ever to our business, and lastly cut off the expectation of the French and keep them totally out of these dominions

9 Motives so interesting and founded upon the prime laws of self-preservation determined us to embrace the proposal made by Jafar Ali Khan provided adequate terms were granted in consideration of entering into a fresh war with the Nawab whose consequences must have proved very detrimental to our affairs if the success of it had not been answerable to our expectations Accordingly after some consideration the following demands were esteemed equitable and reasonable to be asked, viz that our *firman* and the priviledges acquired by the treaty with Siraj-uddaula be confirmed and punctually complyed with that restitution be made of the Company's whole loss, and the loss of the European inhabitants of Calcutta, that our bounds be augmented that we have liberty to fortifye Kasimbazar, that an offensive and defensive alliance be made against all enemies of both parties, as well Europeans as others, and that the French be not permitted to resettle in these provinces, that the Moors do not fortifye within twenty miles of the river side from Hughi down to Hijili, and that the revenues of a certain tract of land be made over and assigned to us in consideration of our maintaining a good body of troops These terms were accordingly transmitted to Mr Watts to get Jafar Ali Khan to assent to them

10 On the 17th May Collonel Clive laid before us a letter from Mr Watts with such Articles of agreement as Jafar Ali Khan's confident had assured him would be accepted of, and requesting that if they were approved of by the Admiral and Committee they might be engrossed in cypher, signed and sealed by them, and returned to him to get them executed by Jafar Ali Khan As those Articles were greatly more advantageous for the Company than the terms we had demanded there could be no objection to them on our part.

They were accordingly approved of and ordered to be engrossed with some alterations relating to the satisfaction of private sufferers The substance of them you will find in the translate of the Persian treaty herewith transmitted for your observation

11 In order to prevent the least suspicion of what we were doing, our troops were ordered into quarters, part of them in Calcutta and part in Chandernagore, and the Nawab wrote (agreeable to Jafar Ali Khan's advice) to recall his army encamped at Plassey and Daudpore

12 Matters being advanced thus far, it was next judged proper to obtain if possible a personal conference between Jafar Ali Khan and some person of trust and confidence on our part To effect this without alarming the Nawab's suspicions, it was proposed for the Collonel to send the Nawab a letter by Mr Scrafton's hands acquainting him that he had an affair of consequence to communicate, by which means Mr Scrafton might have an opportunity of seeing Jafar Ali Khan and confer with him on the plan of operations for executing our project, to assure him of our attachment to his interest, and to use his endeavours to get such security as could well be given without discovering the scheme

13 On the 19th May the treaty being engrossed in the manner Mr Watts had requested it was signed and sealed by the Admiral and the members of the Committee [1]

14 From that time till the 11th June, the Collonel received several letters from Mr Watts confirming us in the opinion we had conceived of the Nawab's writing to Monsieur Bussy to march this way and extirpate the English These letters likewise gave a detail of the progress of our negotiation with Jafar Ali Khan, who on the 5th ultimo signed, sealed, and solemnly swore in the presence of Mr Watts to abide by the treaty he had made with the English, and to perform punctually the agreement on his part as soon as he was in possession of the *Subaship*

16 Mr Watts his letters all urging the immediate march of our troops towards Murshidabad, and the Committee for many reasons judging it best to lose no time, as this appeared the most favourable conjuncture we could have to succeed in our enterprise, and as a delay might not only produce a discovery of our confederacy and consequently the ruin of

[1] Messrs Drake and Becher say nothing of the part played by the treacherous agent Omichand in these negotiations of the high price he demanded for not revealing the negotiations to the Nawab, or of the discreditable trick of the double treaty by which he was deceived

our project but would greatly diminish our strength, while the Nawab would have time to augment his army by calling in his troops from all quarters and enlisting others, it was therefore resolved to set out immediately, and on the 13th of June our troops began their march (*Here follows an account of the Plassey campaign, which is omitted*)

20 The advantages of the treaty made with the present Nawab are too apparent to want any comment, if the terms are punctually complied with, which we have not the least reason to doubt But we must take the liberty to recommend, to your serious consideration, the preservation of the grants and priviledges acquired by this revolution, which can be done only by keeping up a large body of troops in the country As it is the Company's interest to exert themselves on this occasion, we make no doubt you will immediately enlist and send out a sufficient number of recruits to make a respectable garrison in *Bengall*, which should consist of a body of two thousand Europeans at least, which expence we think will be overpaid by the advantages of our acquisitions We flatter ourselves therefore you will not on any account neglect the sending such a body of Europeans as we have mentioned to be necessary This we are of opinion will be the only method of preventing in future the encroachments of the country government, to make our friendship and alliance courted, to carry on our trade on the securest footing and to oppose the resettlement of the French in these provinces

26 Tranquillity being established by the change we have advised of, people's minds more at ease and no apprehensions of trouble from the Government remaining, we have begun the purchase of this year's investment and hope to be able to send the Company a handsome return from this Presidency

28 These advices are dispatched in triplicates to the Select Committee of Bombay to be forwarded to Europe by the quickest conveyance either by shipping or by land We shall endeavour to send copies to Fort Saint George [1] to be forwarded from thence to Europe, and shall dispatch the *Diligent* schooner about the middle of next month directly home with another copy of this pacquet, by which means we hope the Company will get the intelligence of what has happened in Bengall before the ships of next season leave England

[1] Madras

29 Since writing thus far the money from Murshidabad is arrived —We are etc , etc ,

ROGER DRAKE
RICHARD BECHER

(Hill, *Bengal in 1756-7*, ii 445)

9 THE BATTLE OF PLASSEY AND ITS RESULTS

Dispatch from Colonel Clive to the Secret Committee of the Directors, July 26, 1757

I gave you an account of the taking of Chandernagore, the subject of this address is an event of much higher importance, no less than the entire overthrow of Nawab Siraj-uddaula, and the placing of Mir Jafar on the throne I intimated, in my last, how dilatory Siraj-uddaula appeared in fulfilling the articles of the treaty This disposition not only continued but increased, and we discovered that he was designing our ruin, by a conjunction with the French To this end Monsieur Bussy was pressingly invited to come into this province, and Monsieur Law of Kasimbazar (who before had been privately entertained in his service) was ordered to return from Patna

About this time some of his principal officers made overtures to us for dethroning him At the head of these was Mir Jafar, then *Bakhshi* [1] to the army, a man as generally esteemed as the other was detested As we had reason to believe this disaffection pretty general, we soon entered into engagements with Mir Jafar to put the crown on his head All necessary preparations being completed with the utmost secrecy, the army, consisting of about one thousand Europeans, and two thousand sepoys, with eight pieces of cannon, marched from Chandernagore on the 13th, and arrived on the 18th at Katwa Fort, which was taken without opposition The 22nd, in the evening, we crossed the river, and landing on the island,[2] marched straight for Plassey Grove, where we arrived by one in the morning At daybreak we discovered the Nawab's army moving towards us, consisting, as we since found, of about fifteen thousand horse, and thirty-five thousand foot, with upwards of forty pieces of cannon They approached apace, and by six began to attack with a number of heavy cannon, supported by the whole army, and continued to play

[1] Paymaster.

[2] *I e* the island of Kasimbazar

on us very briskly for several hours, during which our situation was of the utmost service to us, being lodged in a large grove, with good mud banks To succeed in an attempt on their cannon was next to impossible, as they were planted in a manner round us, and at considerable distances from each other We therefore remained quiet in our post, in expectation of a successful attack upon their camp at night About noon, the enemy drew off their artillery, and retired to their camp, being the same which Rai Darlabh [1] had left but a few days before, and which he had fortified with a good ditch and breast-work We immediately sent a detachment, accompanied with two field-pieces to take possession of a tank with high banks, which was advanced about three hundred yards above our grove, and from whence the enemy had considerably annoyed us with some cannon managed by Frenchmen This motion brought them out a second time, but on finding them make no great effort to dislodge us we proceeded to take possession of one or two more eminences lying very near an angle of their camp from whence and an adjacent eminence in their possession they kept a smart fire of musketry upon us They made several attempts to bring out their cannon, but our advanced field pieces played so warmly and so well upon them, that they were always drove back Their horse exposing themselves a good deal on this occasion many of them were killed, and among the rest four or five officers of the first distinction, by which the whole army being visibly dispirited and thrown into some confusion we were encouraged to storm both the eminence and the angle of their camp, which were carried at the same instant with little or no loss On this a general rout ensued and we pursued the enemy six miles passing upwards of forty pieces of cannon they had abandoned, with an infinite number of *hackeries*,[2] and carriages filled with baggage of all kinds Siraj uddaula escaped on a camel, and reaching Murshidabad early next morning, despatched away what jewels and treasure he conveniently could, and he himself followed at midnight, with only two or three attendants

It is computed there are killed of the enemy about five hundred Our loss amounted to only twenty-two killed, and fifty wounded During the warmest part of the action we

[1] Rai Darlabh had been chief minister of the last Nawab He was a member of the conspiracy against Siraj uddaula, but had command of an army

[2] A species of cart drawn by a couple of bullocks

observed a large body of troops hovering on our right, which proved to be our friends, but as they never discovered themselves by any signal whatsoever, we frequently fired on them to make them keep their distance When the battle was over, they sent a congratulatory message, and encamped in our neighbourhood that night The next morning Mir Jafar paid me a visit, and expressed much gratitude at the service done him, assuring me, in the most solemn manner, that he would faithfully perform his engagement to the English He then proceeded to the city, which he reached some hours before Siraj-uddaula left it

As, immediately on Siraj-uddaula's flight, Mir Jafar found himself in peaceable possession of the palace, I encamped without, to prevent the inhabitants from being plundered or disturbed, first at Maidapur,[1] and afterwards at the French factory at Saidabad However, I sent forward Messrs Watts and Walsh[2] to inquire into the state of the treasury, and inform me what was transacted at the palace By their representations I soon found it necessary for me to be present, on many accounts, accordingly, I entered the city on the 28th, with a guard of two hundred Europeans and three hundred sepoys, and took up my quarters in a spacious house and garden near the palace The same evening I waited on Mir Jafar, who refused seating himself on the *masnad*[3] till placed on it by me, which done, he received homage as Nawab from all his courtiers The next morning he returned my visit, when, after a good deal of discourse on the situation of his affairs, I recommended him to consult Jagat Seth[4] on all occasions, who being a man of sense, and having by far the greatest property among all his subjects, would give him the best advice for settling the kingdom in peace and security

On this, he proposed that we should immediately set out together to visit him, which being complied with, solemn engagements were entered into by the three parties, for a strict union and mutual support of each other's interests Jagat Seth then undertook to use his whole interest at Delhi (which is certainly very great), to get the Nawab acknowledged by the Mogul, and our late grants confirmed, likewise to procure for us any *firman* we might have occasion for

[1] The Company's country house near Kasimbazar
[2] A member of the Madras Council who had accompanied the expedition
[3] Cushion used as a throne
[4] The Seths were a very powerful firm of financiers and merchants, the richest in Bengal Maltreated by Siraj uddaula, they had joined in the conspiracy against him.

The substance of the treaty with the present Nawab is as follows (*See actual text*, No 11)

On examining the treasury, there were found about 150 lacs of rupees,[1] which being too little to answer our demands, much less leave a sufficiency for the Nawab's necessary disbursements, it was referred to Jagat Seth, as a mutual friend, to settle what payment should be made to us, who accordingly determined, that we should immediately receive one half of our demand—two thirds in money and one third in gold and silver plate, jewels, and goods, and that the other half should be discharged in three years, at three equal and annual payments

The part to be paid in money is received and safely arrived at Calcutta, and the goods, jewels etc are now delivered over to us, the major part of which will be bought back by the Nawab for ready money, and on the remaining there will be little or no loss A large proportion was proposed to have been paid us in jewels but as they are not a very saleable article, we got the amount reduced one half, and the difference to be made up in money

It is impossible as yet to form a judgment how much the granted lands will produce you, as the Europeans are quite ignorant of the extent of the country between the river and lake, but, in order to give you some idea of the value, I'll estimate it at 10 lacs *per annum* An officer on the part of the Nawab is already despatched to Calcutta to begin the survey, in company with one of ours Siraj uddaula was not discovered till some days after his flight however he was at last taken in the neighbourhood of Rajmahal, and brought to Murshidabad on the 2nd inst late at night He was immediately cut off by order of the Nawab's son, and (as it is said) without the father's knowledge Next morning the Nawab paid me a visit, and thought it necessary to palliate the matter on motives of policy, for that Siraj uddaula had wrote letters on the road to many of the *jamadars*[2] of the army, and occasioned some commotions among those in his favour

Monsieur Law and his party came as far as Rajmahal to Siraj-uddaula's assistance, and were within three hours' march of him when he was taken As soon as they heard of his misfortunes, they returned by forced marches, and, by the last advices, had passed by Patna, on the other side of the river A party of Europeans and sepoys were quickly

[1] A lac of rupees = £10,000

[2] Officers

despatched after them, but I am doubtful if we shall be able to overtake them before they get out of the Nawab's dominions Strong letters have been wrote from the Nawab to the Naib of Patna,[1] to distress them all in his power, and to take them prisoners if possible A compliance with which I am in anxious expectation of

I ought to observe, that the French I spoke of in the action were some fugitives from Chandernagore, who had assembled at Saidabad It was by their advice, and indeed by their hands, that the English factory at Kasimbazar was burned and destroyed, after our gentlemen had quitted it on the renewal of the troubles

The present Nawab has every appearance of being firmly and durably seated on the throne

The whole country has quietly submitted to him, and even the apprehension of an inroad from the side of Delhi is vanished, so that this great revolution, so happily brought about, seems complete in every respect I persuade myself the importance of your possessions now in Bengal will determine you to send out, not only a large and early supply of troops and good officers, but of capable young gentlemen for the civil branches of your business (Malcolm, *Life of Clive*, i 262)

10 THE AIMS OF THE ENGLISH

(The following extract from a letter addressed by Clive to the authorities at Calcutta the day after he placed Mir Jafar on the throne is quoted as showing what was the English view of the position they now occupied)

MURSHIDABAD, *June* 30, 1757

In the afternoon I waited on Jafar Ali Khan, being escorted to him by his son As this was a visit of ceremony, we could enter very little upon business I only attempted to convince them, that it was not the maxims of the English to war against the Government, but that Siraj-uddaula not only would not fulfil the treaty he had entered into with us, but was taking measures, by calling in the French, to destroy us, but it had pleased God to overthrow him, and that as the present Nawab was a brave and good man, the country might expect to be quiet and happy under him, that for our parts

[1] *Naib*=deputy The Naib of Patna was the administrator of the province of Behar, of which Patna is the capital. Behar was attached to the Suba of Bengal

we should not anyways interfere in the affairs of the Government, but leave that wholly to the Nawab, that as long as his affairs required it, we were ready to keep the field, after which we should return to Calcutta and attend solely to commerce, which was our proper sphere and our whole aim in these parts (Hill, *Bengal in 1756–7*, ii 437)

II TREATY BETWEEN THE EAST INDIA COMPANY AND MIR JAFAR, 1757

I swear by God and the Prophet of God, to abide by the Terms of this Treaty whilst I have life [1]

Treaty made with the Admiral and Colonel Clive (Sabat Jang Bahadur), Governor Drake and Mr Watts

1 Whatever Articles were agreed upon in the time of peace with the Nawab Siraj-uddaula I agree to comply with

2 The enemies of the English are my enemies, whether they be Indians or Europeans

3 All the effects and factories belonging to the French, in the Provinces of Bengal (the Paradise of Nations), Behar and Orissa, shall remain in the possession of the English, nor will I ever allow them any more to settle in the three Provinces

4 In consideration of the losses which the English Company have sustained by the capture and plunder of Calcutta, by the Nawab, and the charges occasioned by the maintenance of the forces, I will give them one *crore* of Rupees [2]

5 For the effects plundered from the English inhabitants of Calcutta, I agree to give fifty lacs of Rupees [3]

6 For the effects plundered from the Hindus Mussulmans, and other subjects of Calcutta, twenty lacs of Rupees shall be given

7 For the effects plundered from the Armenian inhabitants of Calcutta, I will give the sum of seven lacs of Rupees The distribution of the sums allotted the natives, English inhabitants, Hindus, and Mussulmans, shall be left to the Admiral, and Colonel Clive and the rest of the Council, to be disposed of by them to whom they think proper

8 Within the ditch,[4] which surrounds the borders of

[1] These words were written in Mir Jafar's own hand
[2] £1,000,000
[3] A lac of rupees £10 000
[4] The Mahratta Ditch, constructed as a protection against Mahratta raids.

Calcutta, are tracts of land, belonging to several Zemindars, besides this I will grant the English Company six hundred yards without the ditch

9 All the land lying to the south of Calcutta,[1] as far as Kalpi, shall be under the Zemindari of the English Company, and all the Officers of those parts shall be under their jurisdiction The revenues to be paid by them (the Company) in the same manner with other Zemindars

10 Whenever I demand the English assistance, I will be at the charge of the maintenance of them

11 I will not erect any new fortifications below Hugli, near the River Ganges

12 As soon as I am established in the Government of the three Provinces, the aforesaid sums shall be faithfully paid

Dated the 15th Ramzan, in the 4th Year of the Reign

(Aitchison, *Treaties and Sanads* (4th Ed), i 185)

12 The Nawab's Gifts to the Company's Servants

(In addition to the sums defined in the Treaty, Mir Jafar, after his enthronement, made large gifts to the principal servants of the Company The Select Committee of 1772 estimated the total amount of these gifts at about £1 250,000, of which Clive received £234,000 (Third Report, p 311) But these were only the gifts ' proved or acknowledged ' In 1759 Clive further received as a *jaghir* or estate the right of receiving from the Company the tribute due from them for the territories referred to in Art 9 of the Treaty (known as the 24 *parganas*" or districts) Mir Jafar also bequeathed to him five lacs (£50 000) which he made over to the Company to form a fund for pensioning disabled soldiers.)

Letter from Colonel Clive to his father, dated Calcutta, August 19, 1757

Honoured Sir—My last was from Chandernagore, since which a revolution has been effected (by means of the military only) scarcely to be paralleled in history

In consideration of the great services rendered Jafar Ali Khan Bahadur by the English he has agreed to give both publick and private to the amount of three million sterling—one half of which is absolutely received His generosity has been such as will enable me to live in my native country much beyond my most sanguine wishes This you will observe by my letter to my Attornies, and the papers enclosed therein Out of that sum about £36,000 belongs to others However what is there is not above one half of the Nawab's gift, and

[1] These lands are often referred to as the 24 *parganas* ' or districts.

I am in great hopes of getting the rest I have ordered £2000 each to my sisters, and shall take care of my brothers in due time I would advise the Lasses to marry as soon as possible for they have no time to lose There is no occasion for your following the Law any more, but more of this when I have the pleasure of seeing you, which I hope will be in twelve or fourteen months

You may now order the Rector to get every thing ready for the reparation of old Stych[1] I shall bring his brother home with £15,000 as likewise Mrs Clive's brother

If I can get into Parliament I shall be very glad, but no more struggles against the Ministry I chuse to be with them

Mrs Clive will write my mother at large My best respects and kindest wishes attend her, not forgetting my brothers and sisters, and I am,—Honoured Sir, your most dutiful and obedient Son, R C

(Hill, *Bengal in 1756–7*, iii 360)

13 Clive's Defence of the Receipt of Gifts

(Extract from the First Report from the Committee appointed to enquire into the Nature, State, and Condition of the East India Company, and of the British Affairs in the East Indies, May 26, 1772)

His Lordship observed, that at that time there were no covenants[2] existing, the Company's servants were at liberty to receive presents, they always had received presents, and his idea of presents is as follows when presents are received as the price of services to the nation, to the Company, and to that Prince who bestowed those presents, when they are not exacted from him by compulsion, when he is in a state of independence and can do with his money what he pleases, and when they are not received to the disadvantage of the Company, he holds presents so received not dishonourable, but when they are received from a dependent Prince, when they are received for no services whatever, and when they are received not voluntarily, he holds the receipt of such presents dishonourable He never made the least secret of the presents he had received he acquainted the Court of

[1] The home of the Clives in Shropshire, which poverty had compelled them to abandon.

[2] Covenants, or formal agreements between the Company and its English servants, were introduced in 1756 but probably did not reach India till 1757

Directors with it, and they, who are his masters, and were the only persons who had a right to object to his receiving those presents, approved of it

14 The Relation of the British Government to the new East Indian Dominion

(The remarkable letter which follows, from Clive to Pitt, is the earliest suggestion that the new power obtained by the East India Company in Bengal was destined ultimately to lead to the establishment of direct British rule Even Pitt was not ready for this, and in an interview with Clive's agent, Walsh, gave a very evasive reply See Malcolm's *Life of Clive*, ii 126 8)

To the Right Hon William Pitt, one of His Majesty's Principal Secretaries of State

Sir—Suffer an admirer of yours at this distance to congratulate himself on the glory and advantage which are likely to accrue to the nation by your being at its head, and at the same time to return his most grateful thanks for the distinguished manner you have been pleased to speak of his successes in these parts, far indeed beyond his deservings

The close attention you bestow on the affairs of the British nation in general has induced me to trouble you with a few particulars relative to India, and to lay before you an exact account of the revenues of this country, the genuineness whereof you may depend upon, as it has been faithfully extracted from the Minister s[1] books

The great revolution that has been effected here by the success of the English arms, and the vast advantages gained to the Company by a treaty concluded in consequence thereof, have, I observe, in some measure, engaged the public attention, but much more may yet in time be done, if the Company will exert themselves in the manner the importance of their present possessions and future prospects deserves I have represented to them in the strongest terms the expediency of sending out and keeping up constantly such a force as will enable them to embrace the first opportunity of further aggrandising themselves, and I dare pronounce, from a thorough knowledge of this country government, and of the genius of the people, acquired by two years' application and experience, that such an opportunity will soon offer The reigning Suba, whom the victory at Plassey invested with the sovereignty of

[1] The *Duan's*.

these provinces, still, it is true, retains his attachment to us, and probably, while he has no other support, will continue to do so, but Mussulmans are so little influenced by gratitude, that should he ever think it his interest to break with us, the obligations he owes us would prove no restraint and this is very evident from his having lately removed his Prime Minister, and cut off two or three principal officers, all attached to our interest and who had a share in his elevation Moreover, he is advanced in years, and his son is so cruel, worthless a young fellow, and so apparently an enemy to the English, that it will be almost unsafe trusting him with the succession So small a body as two thousand Europeans will secure us against any apprehensions from either the one or the other, and, in case of their daring to be troublesome, enable the Company to take the sovereignty upon themselves

There will be the less difficulty in bringing about such an event as the natives themselves have no attachment whatever to particular princes, and as, under the present Government, they have no security for their lives or properties, they would rejoice in so happy an exchange as that of a mild for a despotic Government and there is little room to doubt our easily obtaining the Mogul's *sanad* (or grant) in confirmation thereof, provided we agreed to pay him the stipulated allowance out of the revenues, viz, fifty lacs annually This has of late years, been very ill-paid, owing to the distractions in the heart of the Mogul Empire, which have disabled that court from attending to their concerns in the distant provinces and the Vizier has actually wrote to me, desiring I would engage the Nawab to make the payments agreeable to the former usage, nay, further application has been made to me, from the Court of Delhi, to take charge of collecting this payment, the person entrusted with which is styled the King's *Diwan*, and is the next person both in dignity and power to the Suba [1] But this high office I have been obliged to decline for the present, as I am unwilling to occasion any jealousy on the part of the Suba, especially as I see no likelihood of the Company's providing us with a sufficient force to support properly so considerable an employ, and which would open a way for securing the Subaship for ourselves That this would be agreeable to the Mogul can hardly be questioned, as it would be so much to his interest to have these countries under the dominion of a nation famed for their good faith,

[1] This is an anticipation of the change made in 1765, see below No 26

rather than in the hands of people who, a long experience has convinced him, never will pay him his proportion of the revenues, unless awed into it by the fear of the Imperial army marching to force them thereto

But so large a sovereignty may possibly be an object too extensive for a mercantile Company, and it is to be feared they are not of themselves able, without the nation's assistance, to maintain so wide a dominion I have therefore presumed, Sir, to represent this matter to you, and submit it to your consideration, whether the execution of a design, that may hereafter be still carried to greater lengths, be worthy of the Government's taking it into hand I flatter myself I have made it pretty clear to you, that there will be little or no difficulty in obtaining the absolute possession of these rich kingdoms and that with the Mogul's own consent on condition of paying him less than a fifth of the revenues thereof Now I leave you to judge, whether an income yearly of two millions sterling, with the possession of three provinces abounding in the most valuable productions of nature and of art, be an object deserving the public attention and whether it be worth the nation's while to take the proper measures to secure such an acquisition—an acquisition which, under the management of so able and disinterested a minister, would prove a source of immense wealth to the kingdom, and might in time be appropriated in part as a fund towards diminishing the heavy load of debt under which we at present labour Add to these advantages the influence we shall thereby acquire over the several European nations engaged in the commerce here, which these could no longer carry on but through our indulgence, and under such limitations as we should think fit to prescribe It is well worthy consideration, that this project may be brought about without draining the mother country, as has been too much the case with our possessions in America A small force from home will be sufficient, as we always make sure of any number we please of black troops, who, being both much better paid and treated by us than by the country powers, will very readily enter into our service Mr Walsh, who will have the honour of delivering you this, having been my Secretary during the late fortunate expedition, is a thorough master of the subject, and will be able to explain to you the whole design, and the facility with which it may be executed, much more to your satisfaction, and with greater perspicuity, than can possibly be done in a letter I shall

therefore only further remark that I have communicated it to no other person but yourself, nor should I have troubled you, Sir, but from a conviction that you will give a favourable reception to any proposal intended for the public good

The greatest part of the troops belonging to this establishment are now employed in an expedition against the French in the Deccan, and, by the accounts lately received from thence, I have great hopes we shall succeed in extirpating them from the province of Golconda,[1] where they have reigned lords paramount so long, and from whence they have drawn their principal resources during the troubles upon the coast

Notwithstanding the extraordinary effort made by the French in sending out M Lally with a considerable force the last year, I am confident, before the end of this, they will be near their last gasp in the Carnatic, unless some very unforeseen event interpose in their favour The superiority of our squadron, and the plenty of money and supplies of all kinds which our friends on the coast will be furnished with from this province while the enemy are in total want of every thing, without any visible means of redress, are such advantages as, if properly attended to, cannot fail of wholly effecting their ruin in that as well as in every other part of India

May the zeal and the vigorous measures, projected for the service of the nation, which have so eminently distinguished your ministry, be crowned with all the success they deserve, is the most fervent wish of him who is, with the greatest respect,—Sir, your most devoted humble servant,

CALCUTTA, *January* 7 1759

(Signed) ROBT CLIVE
(Malcolm, *Life of Clive*, ii 119)

15 THE FAILURE OF MIR JAFAR'S GOVERNMENT

(The government of Mir Jafar was from the first a failure, and Bengal fell into a state of anarchy The only persons who profited from these conditions were the individual servants of the Company, who found no check or control exercised over their high handed pursuit of private profit Naturally the Nawab and his principal officers resented this state of things, and futile and nerveless intrigues took place Bengal was bankrupt, disorganised, and subject to invasion both by the Shahzada (son of the Mogul) on the north east and by the Mahrattas on the south east The official English view of these evils is expressed in the following excerpt from a memorial by Holwell, who acted temporarily as governor

[1] *I e* Hyderabad, occupied by the French army under Bussy

between the return of Clive and the arrival of his successor, Henry Vansittart The memorial was meant to give guidance to Vansittart)

From a Memorial by J Z Holwell, 1760

A short space of time fully proved how unworthy the family thus raised ![1] The conditions of the treaty could not be obtained from the Nawab without being in a manner extorted from him, and by a thousand shifts and evasions it was plain to the world not a single article would ever have been complied with, had the Nawab been invested with power sufficient to have prevented it, or could he have divested himself of his own fears and apprehensions from our resentment A party was soon raised at the Durbar who were daily planning schemes to shake off their dependence on the English , and continually urging to the Nawab that till this was effected his government was a name only The first step taken to accomplish this measure of independence, was to assassinate and take off under one pretence or other, every minister and officer at the Durbar who they knew were attached to the English The next project of the Durbar appeared, by every concurring subsequent circumstance, to be a secret negotiation with the Dutch, for transporting troops from Batavia, that with their united force a stop might be put to the power of the English This scheme was conducted about October or November 1758

Soon after the provinces were invaded by the Shahzada [2] on the side of Patna and Colonel Clive with our military and sepoys joined the Nawab and his troops and arrived just in time to save that city and province The prince more than once wrote to the Colonel, offering any terms for the company and himself, on condition the English would quit the Nawab, and join his army , but the Colonel thinking it incompatible with our treaty of alliance with the Nawab, gave the prince no encouragement

The Nawabs,[3] thinking themselves now better established in the government began to set no bounds to their cruelties, oppressions and exactions, from those who had anything to be plundered of , and this barely received a check from the severe and frequent remonstrances of the Colonel His (Mir Jafar's) troops, [were] clamorous at the same time for their pay, whilst the Nawab, in place of appropriating the sums he had acquired by repeated assassinations to the just demands

[1] *I.e* Mir Jafar and his son known as the *Chota Nawab*, or little Nawab

[2] Son of the Great Mogul

[3] Mir Jafar and his son

of his *jamadars* and troops, lavished the same in boundless extravagances

In the beginning of the year 1760 the Shahzada invaded the provinces again , the Nawab by this time having made himself so universally hated, that we may justly say, there was hardly a man in the province that did not wish success to the prince In February 1760 the Mahrattas entered the province from the southward The Nawab demanded a body of our troops for the defence of this country, to join his which was granted , but their use was frustrated by the Nawab's pusillanimous, irregular and contradictory orders Three morally sure and important opportunities were lost by the cowardice of both the Nawabs Had the most been made of either of those favourable occasions, the stroke had, in all human probability, been decisive , as it is, it only proves that we continue to draw our swords in support of a family, most unworthy the government they have by our assistance usurped, and this to the manifest hazard and ruin of the Company's trade and concerns

(Vansittart's *Narrative of the Transactions in Bengal, 1760-64*, i 46)

16 Mir Jafar replaced by Mir Kasim

(Vansittart resolved that a change must be made in the government of Bengal , and in an interview with Mir Jafar, persuaded him to devolve the actual functions of government on a deputy His son, the *Chota Nawab*, having been killed by a stroke of lightning his son in law, Mir Kasim, was fixed upon for this office , before long Mir Jafar retired and Mir Kasim became Nawab A new treaty was made with Mir Kasim, of which the principal articles are printed below The most important of these articles is the fifth whereby three large districts of Bengal were ceded to the Company, to pay the cost of maintaining the army required for the defence of Bengal , the pay of this army due from the Nawab having fallen into hopeless arrears These new provinces must not be confused with the 24 *parganas* already ceded in 1757 , the latter were directly administered by the Company which paid a fixed sum annually in composition for land revenue , the new provinces were not directly administered, but their *zemindars* or revenue collectors paid the revenues to the Company This arrangement is the first instance of a method of providing revenue for the maintenance of military forces which is much used in the future, and which is to develop into the system of "subsidiary alliance " Clauses 8 and 9 show that the Company's territories are now treated as a practically independent state)

Treaty between Mir Kasim and the Company, September 27, 1760

3 Betwixt us and Mir Mahomed Kasim Khan Bahadur,

a firm friendship and union is established, his enemies are our enemies, and his friends are our friends

4 The Europeans and *Telingas*[1] of the English Army shall be ready to assist the Nawab, Mir Mahomed Kasim Khan Bahadur, in the management of all affairs, and in all affairs dependent on him, they shall exert themselves to the utmost of their abilities

5 For all charges of the Company and of the said Army, and provisions for the field, etc, the lands of Burdwan, Midnapur, and Chittagong shall be assigned, and *Sanads*[2] for that purpose shall be written and granted The Company is to stand to all losses and receive all the profits of these three countries, and we will demand no more than the three assignments aforesaid

8 We will not allow the tenants of the *Sarkar*[3] to settle in the lands of the English Company, neither shall the tenants of the Company be allowed to settle in the lands of the *Sarkar*

9 We will give no protection to the dependents of the *Sarkar* in the lands, or in the factories of the Company, neither shall any protection be given to the dependents of the Company in the lands of the *Sarkar*, and whosoever shall fly to either party for refuge shall be delivered up

10 The measures for war and peace with the Shahzada, and raising supplies of money, and the concluding both these points, shall be weighed in the scale of reason and whatever is judged expedient shall be put in execution, and it shall be so contrived by the joint councils, that he be removed from this country, nor suffered to get any footing in it Whether there be peace with the Shahzada or not, our agreement with Mir Mahomed Kasim Khan Bahadur, we will (by the grace of God) inviolably observe, as long as the English Company's factories continue in the country

Dated the 17th of the month Sophar, in the 1174 year of the Hegira, or the 27th September 1760

(Aitchison, *Treaties and Sanads* (4th Ed), i 214)

17 The Grievances of Mir Kasim

(Mir Kasim was a much more efficient ruler than Mir Jafar, and brought about a great improvement, as is testified by Vansittart in No 2 below But he was never given a fair chance From the outset

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[1] *I.e* men from the south, Madrasis

[2] Grants

[3] Government.

he was the object of suspicion and hostility on the part of the majority of the members of the Calcutta Council They disliked the change from the nerveless rule of Mir Jafar, because it interfered with their own profits, and they especially resented the attempt to levy tolls on the trade carried on for their profit by Indian *gomastas* The record of this controversy is important, because it shows the utter impracticability of the relations which had been established by Plassey, for that reason we devote several excerpts to it Mir Kasim's bitterest opponent was Ellis, Resident at Patna, his only friends were Vansittart and Warren Hastings who showed throughout these controversies a sympathy with the Indian point of view, and a desire for justice, that were entirely lacking in their colleagues)

Letter from Mir Kasim to Vansittart, March 26, 1762

From my first accession to the government, I have perceived, that many English gentlemen were ill affected to me, and that the country was not in my own hands The cause of the disaffection of these gentlemen I know not you may The cause of the country's not being in my hands is this that from the factory of Calcutta to Kasimbazar, Patna and Dacca, all the English chiefs, with their *gomastas*, officers and agents, in every district of the government act as collectors, renters, *zemindars* and *talukdars*, and setting up the Company's colours allow no power to my officers In this case I never can have any authority as long as I live I have not allowed entrance into the fort,[1] the reason is that Mr Ellis commits open acts of hostility against me, raises calumnies against me, corresponds with my enemies, and instead of a single letter sends two hundred sepoys I will on no account permit the fort to be searched (Vansittart *Narrative* ii 2)

Letter from Mir Kasim to Vansittart, March 15 1763

Such disturbances as the English have set on foot were never known in any government, till the time of Mir Jafar, that they should send sepoys and seize the officers of the government and carry them away All my forbearance has been owing entirely to the friendship between you and me If the English *gomastas* will carry on their trade according to the custom practised by other merchants, it is well If not I have no resource, but to make use, as you do, of expressions tending to dissolve our friendship (Vansittart, *Narrative*, iii 57)

[1] Ellis, the English resident at Patna and Mir Kasim's strongest opponent had asserted that English deserters had been received by the Nawab and had sent a company of sepoys to search the fort at Monghyr, where he supposed them to be concealed

18 The Difficulties of an Honest Governor

(It should be noted that under the Company's system the governor was liable to be overridden by a majority of his Council—all of whom profited from the iniquities of the private trade)

I strove as long as possible to remove these disorders by private cautions to the gentlemen concerned, but finding these means ineffectual, I was obliged to lay them before the Board, where, however, for the most part, they met with as little attention They were usually construed as forged pretexts of the Nawab, to pick a quarrel with us, and encroach upon our rights I was reproached with the credit which I gave to the Nawab's representations, and every gentleman, who was interested in them, regarded me as his personal enemy In short, though the complaints became every day more frequent, yet not one was ever redressed, nor even thought worthy of an enquiry, and all I could do was, by palliating what I could not remedy, to keep the Nawab in temper, and prevent an open quarrel from breaking out between us

Soon after I was for two months confined from business by a dangerous illness The first I heard of business after my recovery was, that a war was breaking out with the Nawab, complaints crowded in upon me from all parts, the officers of the government declaring that their authority in every place was trampled upon by the English *gomastas*, so that they could no longer preserve the least order, nor collect the revenues of the government, and on the other side, the gentlemen of the subordinate factories, and the English *gomastas*, asserting they had paid the usual duties, notwithstanding which many of their boats were stopped

(Vansittart's *Narrative*, ii 109)

19 The Abuses of English Trading

(Apart from the light which it throws upon the abuses of private trade during these years, the following letter of the future Governor General deserves to be studied because it shows that Hastings was one of the few servants of the Company who did not allow his sense of justice to be obscured by his private interests Compare No 21 below)

From Warren Hastings to H Vansittart.

One Coss beyond Bagalpur,
April 25, (1762)

Sir—I beg leave to lay before you a grievance which calls loudly for redress, and will, unless duly attended to, render

ineffectual any endeavours to create a firm or lasting harmony between the Nawab and the Company, I mean the oppressions committed under the sanction of the English name, and through the want of spirit in the Nawab's subjects to oppose them This evil, I am well assured, is not confined to our dependents alone, but is practised all over the country by people falsely assuming the habits of our sepoys, or calling themselves our *gomastas*[1] As, on such occasions, the great power of the English intimidates the people from making any resistance, so on the other hand the indolence of the Bengalis, or the difficulty of gaining access to those who might do them justice prevents our having knowledge of the oppressions, and encourages their continuance, to the great though unmerited scandal of our government I have been surprised to meet with several English flags flying in places which I have passed, and on the river I do not believe that I passed a boat without one By whatever title they have been assumed (for I could only trust to the information of my eyes, without stopping to ask questions), I am sure their frequency can bode no good to the Nawab's revenues, to the quiet of the country, or the honour of our nation, but evidently tend to lessen each of them A party of sepoys, who were on the march before us, afforded us sufficient proofs of the rapacious and insolent spirits of these people when they are left to their own discretion Many complaints were made against them on the road, and most of the petty towns and *serais*[2] were deserted on our approach, and the shops shut up from the apprehension of the same treatment from us

You have already pointed out one method by which the truth of the complaints against our *gomastas* may be inquired into and redressed, which I shall not fail to represent in the proper manner to the Nawab But nothing, I fear, will ever reach the root of those evils, till some certain boundary be fixed betwixt the Nawab's authority and our privileges Were I to suppose myself in the place of the Nawab, I should not be at a loss in what manner to protect my own subjects or servants from insults, but whilst the principle prevails, that no point (however little beneficial to ourselves) is to be given up to the Nawab, and that his authority is on every occasion to be checked for the security of our own, I should hardly venture to propose to any other besides yourself to restrain the power of our *gomastas* to the immediate concerns

[1] Agents [2] Inns.

of the Company, to which we ourselves are limited by the *firman*, and our treaty with the Nawab, and where any persons assuming the English name are guilty of acts of violence or oppression to the Nawab's subjects, and within his territory, that the magistrate take such means as his office and the matter in question may require for preventing them, without making any distinction in such cases betwixt our agents and the dependents of the government

(G R Gleig, *Life of Hastings*, i 107)

20 Attempted Remedies

(An arrangement somewhat on the lines suggested below was actually agreed upon a little later between the Nawab on the one hand and Vansittart and Hastings on the other hand, it also laid it down that *inland trade carried on by the Company's servants for their own profit* should pay duties in the ordinary course This, however, the Council refused to agree to, insisting on a total exemption from duties)

From the Same to the Same

Sarsaram, *May* 18, 1762

I explained to the Nawab what you wrote to me concerning the abuse of the English name and authority, and the expedients proposed for their removal, which I extracted from your letter, and gave him, written under the following heads —

First —That strict orders be given to the *darogas*[1] of the *chaukis*[2] to require every English boat that passes to produce a *dastak*,[3] under the seal of the government or any chief of the subordinate factories, and in case of a refusal that they compel the boats to bring to

Second,—That every boat with English colours, and not having a *dastak*, be stopped, and if the goods be English property, that notice be given to the chief of the nearest factory, that it may be inquired into, but if it be the property of a subject of the *sarkar*,[4] that the Nawab take what notice of it he may think proper

Third,—That strict orders be given to the officers and *faujdars*[5] of the *sarkar*, if any English *gomasta* commit any act of aggression, or interfere in the affairs of the government, to forbid them, and if they refuse to hear reason to use force to make them desist

[1] Officers. [2] Customs or police stations. [3] Pass. [4] Government
[5] Officers having criminal jurisdiction

Fourth,—That strict orders have been sent from the presidency that none of the *gomastas* or servants of the factory intermeddle with the affairs of the government, and that the officers of the *sarkar* be likewise strictly enjoined not to obstruct the Company's business or oppress the people employed in it.

Sixth,—That the Company's *gomastas* shall be allowed an English flag at the place of their residence, but no private *gomastas* shall have an English flag or assume any distinction from the English name.

Seventh,—That by an order from the presidency, no European shall be employed in the country without a permission from the board, and giving security that he would not interfere in any affairs of the government.

Upon the two first heads the Nawab remarked, that it was to no purpose for him to give such orders to his officers, though backed with your *dastaks* since both have proved ineffectual to restrain the presumption of our people, who seldom choose to produce their *dastaks*, and if the officer acts as his duty requires him, a complaint is instantly sent to the next factory of the insolence of the *chaukis*, the indignity offered to our flag and the infringement of our *dastaks*. Sepoys are despatched to seize the offender and others, dreading the like treatment let pass all boats indiscriminately, and amongst them many that have no *dastaks*.

(Gleig, *Life of Hastings*, i 117.)

21 The Breach with Mir Kasim

(As the only way of dealing with the claim of the Company's servants that *all* their private trade should be exempt from duty—a claim which was ruinous to their Indian competitors—Mir Kasim determined to abolish all dues whatsoever. The following excerpts from the debate at the Calcutta Board on this subject will show the spirit of the majority. Vansittart and Hastings alone upheld the only just view; the rest were for ordering the Nawab to reimpose the duties. This decision made the open revolt of Mir Kasim inevitable. The passage is from Vansittart's own account of the proceedings. Such gross injustice as this passage describes is of itself enough to show that the system had to be transformed.)

In my letter to the Board from Monghyr, which contained the regulations made with the Nawab, I mentioned a resolution expressed by him, to abolish all duties whatever in his dominions, to avoid the daily disputes between our people and his officers.

This he now actually put in execution It was known at Calcutta by private advices . and became the subject of a fresh dispute [at the Board] the 22nd of March (1763)

Mr Watts's Opinion

Mr Watts is of opinion that the Nawab's taking off duties on all goods must be highly detrimental to the Company's trade , that it is a step he, as *Suba* of Bengal, has no authority to do without permission from the Mogul , and as the Mogul has always deemed the English in a much superior light to the Nawab, he thinks it is incumbent on them to insist that the duties be collected from all other merchants as formerly (*This view was supported on various grounds by all the Board except Vansittart and Warren Hastings*)

The President's and Mr Hastings's Opinion

It has been determined by the majority of the Board, that we shall trade in all articles custom-free, as well from place to place in the country, in commodities produced in the country, as in foreign imports and commodities for exportation , which resolution being declared to the Nawab he on his part has determined to take off customs in general, and lay trade entirely open

We cannot think him to blame in this proceeding, nor do we see how he could do otherwise For altho' it may be for our interest to determine, that we will have all the trade in our hands, that we will employ our own people to make salt, take every article of the country off the ground at the first hand, and send it where we please free of customs , we say, tho' it may be for our interest to make this unlimited use of our force, yet it is not to be expected the Nawab will join with us, in endeavouring to deprive every merchant of the country of the means of carrying on their business, which must undoubtedly soon be the case, if they are obliged to pay heavy duties, and we trade in every article on the footing before mentioned

Neither in our opinion could the Nawab in such circumstances collect enough to pay the expence of the *chaukis*, collectors, etc , so that trade would be liable to clogs and interruptions, without any benefit to the government

We hope the present regulation, instead of being a prejudice

to the Company's business, may be an advantage to it, as well as to the country in general, by rendering the necessities of life cheaper, and particularly those of the poorer sort

Opinion of the Majority

That the revoking of the above-mentioned *sanad* be a point insisted upon from the Nawab

(Vansittart, *Narrative*, iii 61-76)

22 A Fair Judgment on Mir Kasim

(Driven to open war by the outrageous proceedings of the Calcutta Board and of Ellis at Patna, Mir Kasim lost control of himself and ordered the atrocious murder of many of his prisoners Vansittart, who had tried to do justice to the unhappy Nawab, gives the following summary of his brief reign)

He discharged the Company's debt, and the heavy arrears of his army retrenched the expences of his court, which had before consumed the income of his predecessors , and secured his own authority by reducing the power of the *zemindars* I was convinced that whilst we did not encroach upon the Nawab's rights, or disturb his government, he would never wish to quarrel with us , and no one instance can be produced of his molesting us in a single article of our commerce, till the contention which he was drawn into by the usurpations of our *gomastas,* and our new claims with respect to our private trade How different was the conduct of the gentlemen, who had formed themselves into a party against him ! From the time of his advancement to the *subaship,* scarce a day passed, but occasion was taken from the most trifling pretences, to trample upon his government, to seize his officers, and to insult them with personal threats and invectives It is not to be wondered at, if, irritated and tired out with these continual attacks, he should grow suspicious of our friendship

That we were the first aggressors by the assault of the city of Patna will not be disputed I will not take upon me to pronounce how far Mr Ellis, in taking this ill-fated step, or the Board in authorising him to do it, were to blame My own opinion is, that Mr Ellis's intention was, from the beginning, to break with the Nawab , and that the discretionary powers,

which he so earnestly sollicited, and so passionately complained of being withheld, were wanted only as a sanction for executing what he had already resolved on

As for the last wretched act of Mir Kasim's government it is easy to account for it His forces had been successively worsted, his country was wrested out of his hands, all his hopes of a reconciliation were for ever cut off by our new engagements with Mir Jafar He had no way to elude the danger which pressed upon him, but to fly for shelter into the dominions of the Nawab Shuja-uddaula His ruin he knew to be irretrievable, and a violent death the certain consequence of ill success and lost power The hoarded resentment of all the injuries he had sustained took entire possession of his mind, now rendered frantic by his natural timidity, and the frightful prospect before him, till it had glutted itself with the blood of all within his reach, who had either contributed to his misfortunes, or by real or fancied connexions with his enemies became obnoxious to his revenge

(Vansittart, *Narrative*, iii 381 ff)

23 The Directors' Condemnation of their Servants

(The following passage from the instructions given to Clive in 1765 shows that the Directors were sensible of the evils of the situation)

From the Directors to Lord Clive, April 26, 1765

Treaties of commerce are understood to be for the mutual benefit of the contracting parties Is it then possible to suppose that the court of Delhi, by conferring the privilege of trading free of customs, could mean an inland trade in the commodities of their own country, at that period[1] unpractised and unthought of by the English, to the detriment of their revenues and the ruin of their own merchants? We do not find such a construction was ever heard of, until our own servants first invented it, and afterwards supported it by violence Neither could it be claimed by the subsequent treaties with Mir Jafar, or Kasim Ali, which were never understood to give one additional privilege of trade beyond what the *firman* expressed In short, the specious arguments used by those who pretended to set up a right to it convince us they did not want judgment, but virtue to withstand the temptation of suddenly amassing a great fortune, although

[1] 1717

acquired by means incompatible with the peace of the country, and their duty to the Company

Equally blamable were they who, acknowledging they had no right to it, and sensible of the ill consequences resulting from assuming it, have, nevertheless, carried on this trade, and used the authority of the Company to obtain, by a treaty exacted by violence, a sanction for a trade to enrich themselves, without the least regard or advantage to the Company, whose forces they employed to protect them in it

All barriers being thus broken down between the English and the country government, and every thing out of its proper channel, we are at a loss how to prescribe means to restore order from this confusion and being deprived of that confidence which we hoped we might have placed in our servants, who appear to have been the actors in these strange scenes, we can only say, that we rely on the zeal and abilities of Lord Clive, and the gentlemen of the Select Committee, to remedy these evils We hope they will restore our reputation among the country powers, and convince them of our abhorrence of oppression and rapaciousness

(Malcolm, *Life of Clive*, ii 347)

24 Clive's View of the Abuses

I shall only say, that such a scene of anarchy, confusion, bribery, corruption, and extortion was never seen or heard of in any country but Bengal , nor such and so many fortunes acquired in so unjust and rapacious a manner The three provinces of Bengal, Behar, and Orissa, producing a clear revenue of £3,000,000 sterling, have been under the absolute management of the Company's servants, ever since Mir Jafar's restoration to the *subaship* , and they have, both civil and military, exacted and levied contributions from every man of power and consequence, from the Nawab down to the lowest *zemindar*

The trade has been carried on by free merchants, acting as *gomastas* to the Company's servants, who, under the sanction of their names, have committed actions which make the name of the English stink in the nostrils of a Hindu or a Mussulman , and the Company's servants themselves have interfered with the revenues of the Nawab, turned out and put in the officers of the government at pleasure, and made every one pay for their preferment (Malcolm, *Life of Clive*, ii 379)

CHAPTER III

DUAL GOVERNMENT

1765–1772

In 1765 Clive returned to Bengal to deal with the anarchy described in the last chapter His view of the problem is set forth in No 25 He did not wish fundamentally to alter the anomalous position of the Company in Bengal, but only to render it more secure by increasing the dependence of the Nawab, and by pursuing a moderate policy which would not "give umbrage" But the greatest difficulty," he thought, would be to prevent the Company's servants from misusing their position In this he failed, partly because the Directors refused to accept his proposal (No 31) that the monopoly of salt should be taken over, and its profits divided among the servants, as the price of a restriction of their private trade, partly because he did not yet see that they must be made directly responsible for the prosperity of the country before they would cease to abuse their power He had abandoned the point of view expressed in his letter to Pitt and now held that no more direct territorial responsibility should be assumed

Hence Clive made a far from logical use of the excellent opportunity open to him in 1765 When he arrived in India he found Mir Kasim deposed, Mir Jafar dead, and a boy-Nawab, Najm-uddaula, on the throne of Bengal The Nawab-Vizier of Oudh, as a result of the Battle of Buxar, was absolutely at the mercy of the English, and the Mogul, Shah Alam, who was homeless and resourceless, and had been since 1761

practically a prisoner of his nominal vassal the Nawab-Vizier, was eager to put himself under the protection of the English, and ready to use his nominally supreme power to regularise any arrangement that might be made Accordingly, a treaty settlement was made which materially strengthened the Company's position By a grant of the Mogul (No. 26) the Company received the *diwani*, or right of collecting the revenues of Bengal, Behar, and Orissa The Company thus in theory became the Mogul's revenue-agent for these provinces, paying him a lump sum of £260,000 per annum As the *diwani*, by Indian tradition, usually carried with it a share of civil jurisdiction, this might have meant the assumption of direct responsibility for at least one aspect of the government But since Clive was not ready for this, the arrangement provided that the *nizamat*, or control of military and police jurisdiction, should remain in the hands of the Nawab, who was to be paid out of the revenues a fixed sum to cover expenses (No 27) As the Nawab was a minor, he was provided with a *Naib Nazim*, or deputy, nominated by the Company This was a noble of Bengal, Mahomed Reza Khan, who continued to hold the office until 1772 Even the direct collection of the revenues, and still more the civil jurisdiction associated with it, were not undertaken by the Company, but under its supervision these functions were entrusted to two *Naib Diwans*, Mahomed Reza Khan for Bengal, Raja Shitab Rai for Behar They sat, not at Calcutta, but at Murshidabad and Patna respectively Thus, though the assumption of the *diwani* is important as marking the formal recognition of the English position in Bengal, it left that position still very anomalous The actual conduct of government was still left in the hands of Indian administrators at a distance from the Company's headquarters, though under the Company's control And as these officials were even more open to illegitimate pressure, and even less able to restrain the misconduct of the Company's servants, than Mir Jafar or Mir Kasim had been, the new system of Dual Government brought no improvement at all The establishment

of this absurd system is a sign of the Company's unwillingness to recognise that it had ceased to be a mere trading body, and become a ruling power

Besides the regular tribute of £260,000 (which was a pure windfall, for he had drawn no tribute from Bengal for many years) the Mogul was also given the rich inter-fluvial districts of Allahabad and Kora, which were taken from Oudh Exiled from Delhi, he took up his abode at Allahabad for the next six years Here he was in close touch with the English, and practically became their puppet, as he had earlier been the puppet of Oudh and later became the puppet of the Mahrattas His *firmans*, or decrees, for what they were worth, were at the disposal of the English, and in this year he granted deeds regularising their possession of the Northern *Sarkars* and the power of their vassal-Nawab in the Carnatic

The settlement of 1765 was completed by an important treaty with the great state of Oudh (No 28), whose Nawab (titular Vizier of the Mogul since 1761) practically became a dependent of the Company Henceforth it was a matter of fixed policy to maintain a close alliance with Oudh, which was useful as a bulwark against the threatening power of the Mahrattas

In England the aspect of the arrangement of 1765 which attracted most attention was the immense wealth which the Company was expected to derive from the revenues of Bengal, estimated at £3,000,000 per annum Some, among whom was Pitt, held that the Crown should take over the governmental authority which the Company had now assumed, but this view was held by few, and the first intervention of Parliament in the affairs of the Company, in 1767, took the form merely of a demand for a share of the plunder, to the extent of £400,000 per annum (No 29)

The Dual System was a complete failure from the outset, and its failure is illustrated in Nos 32, 33 In the first place the abuses of private trade reached a greater height than ever (No 32) In the second place, the demands of the Company for increase of revenue led to gross oppression of the peasantry

The main source of revenue was the tax on, or rent of, land All land in India was regarded as belonging to the State, and all occupiers of land were required to pay a sort of rent, roughly estimated at one-fourth to one-half of the produce The collection of these revenues was entrusted usually to officials called *zemindars*, who, though theoretically removable, had in most cases become hereditary, and in some districts represented ancient princely families The *zemindar* customarily acted as a kind of magistrate for his district He paid an annual composition for the land-revenues of his district, which was fixed by assessment at varying intervals, and kept the profits the actual cultivators were thus left much at his mercy, unless the supreme government and its courts were strong and active, which could not be the case under Dual Government Powerful *zemindars* often paid very little, especially if the government was too weak to force them, or could be bribed to let them off lightly When the Company found its revenues shrinking, and demanded increase from the Indian revenue officers, the result was severe oppression in some districts, the whole burden of which fell upon the peasantry Some account of these evils is given in No 33, a report from Richard Becher, a servant of the Company It is worth noting that Becher praises the revenue administration of Burdwan, one of the districts which had been under the more direct control of the Company since 1760 This suggests that the Company s servants were not incapable of bringing about an improvement when responsibility was imposed upon them

As a result of Becher s report, the Company decided in 1769 to institute English Supravisors " of the revenues, one being appointed for each of the twenty or thirty districts into which Bengal was divided (No 34) The instructions to these officers show a sense of the need for careful enquiry into, and consideration of, local conditions , they also show a genuine desire for justice and fair treatment of the cultivators The " Supravisors ' were not merely to see that the Company got the maximum of revenue they were also

to prevent oppression and to keep an eye upon the working of the courts of justice But the new system brought little improvement In the first place, it was not at first intended that the "Supravisors" should undertake direct responsibility, they were only to overlook the Indian officials In the second place, they were not under the control of the Council at Calcutta, but reported to the Resident at Murshidabad, who dealt directly with Mahomed Reza Khan That is to say, the governing body of the Company in Bengal was not brought into direct connexion with the revenue business The Resident at Murshidabad was from 1770 assisted by a Council of Revenue, which became so powerful as almost to overshadow the main Council at Calcutta, and another Council of Revenue was set up at Patna In the third place, the "Supravisors" were still allowed to engage in private trade, this of course got their chief attention, and they were constantly tempted to misuse their authority in their districts to serve their private interests

Instead of profiting by the assumption of the *diwani*, the Company found itself, in 1770, on the verge of bankruptcy, and had to ask to be excused from paying the sum of £400,000 demanded by the English Government Its resources were further strained during these years by the cost of a difficult war against Hyder Ali, the formidable usurper of Mysore, who invaded the Carnatic in 1768 the Company was under an obligation to protect the Carnatic, but the Presidency of Madras had not the necessary resources, and the cost fell on Bengal Worst of all, the dreadful famine of 1770 (No 35) desolated Bengal as it desolated other parts of India, one-third of the population is said to have died Within five years of the great triumph of 1765 the Company seemed on the verge of ruin

In the eyes of some of its critics, the only cure for these evils was that the Company should frankly recognise its position, and face the necessity of directly governing Bengal with efficiency (No 36) But neither the Directors nor the English political world were yet quite ready for this The

Directors decided to assume the direct management of the revenues, instead of leaving them in the hands of Mahomed Reza Khan, and appointed Warren Hastings as Governor in 1772 for this purpose, but they did not contemplate taking over the *nizamat* Fortunately their new Governor was a man of immense power and courage, and saw what was needed Meanwhile the British Parliament was seriously discussing the problem committees were dealing with the East India question in 1772, and the first direct intervention of the British Government was at hand

25 Clive's Views on British Policy in 1765

(The following statement shows that Clive had no sense of responsibility for the good government of Bengal His sole desire is to preserve the Company's political ascendancy by playing upon the weaknesses of the Nawab and his subjects There is no hint of a belief that the Company ought to ensure good government to the people of Bengal)

I shall not enter into the motives which caused the deposition of Mir Jafar nor into the fundamental cause of the present war with Kasim Ali Khan It is sufficient to say, that these two events have lost us all the confidence of the natives To restore this, ought to be our principal object, and the best means will, in my opinion, be by establishing a moderation in the advantages which may be reserved for the Company, or allotted to individuals in their service

If ideas of conquest were to be the rule of our conduct, I foresee that we should, by necessity be led from acquisition to acquisition, until we had the whole empire up in arms against us, and whilst we lay under the great disadvantage of fighting without a single ally, (for who could wish us well ?) the natives, left without European allies, would find, in their own resources, means of carrying on war against us in a much more soldierly manner than they ever thought of when their reliance on European allies encouraged their natural indolence The last battle [1] fought against Kasim Ali Khan is a proof of this assertion, for never did the troops of India fight so well

Nothing, therefore, but extreme necessity, ought to induce us to extend our ideas of territorial acquisitions beyond the

[1] Buxar

amount of those ceded by Kasim Ali Khan, in his treaty with Vansittart,[1]

But by this system of moderation it is not intended that the Nawab should be left entirely independent of us The moment he fancies himself in this situation he will look upon us as enemies who have taken too much from him, and whom it will be necessary, either to reduce to our ancient state of mere merchants, or to extirpate This, therefore, was the error of Mr Vansittart's conduct he advised the Nawab to regulate his treasury, save money, to form and discipline an excellent army, and to pay them well and regularly, contrary to the practice of all the princes of India By following this advice punctually, Kasim Ali, in two years, thought himself in a condition to bid us defiance, and was near being so

It ought, therefore, to be our plan to convince the Nawab that our troops are his best, his only support against foreign enemies, and that our friendship will be his best support against the plots and revolutions of his own officers Necessitated, by the extent of his dominions, to repose large governments and great trusts in particular men, jealousies will be perpetually subsisting On the nice and disinterested management of these will depend our importance The principal officers must be convinced that we will protect them from any capricious violences of their sovereign, and, on the other hand, the Nawab must be convinced, that we will give them up to his just resentment the moment their ambition alone leads them to strike at him

To carry this balance with an even hand, the strictest integrity will be necessary in every one who shall have a vote in your councils abroad I found myself every day assaulted by large offers of presents, from the principal men of the province, not to support the Nawab in resolutions contrary to their interests, and from the Nawab, to sacrifice them to his capricious resentments

But even this conduct alone will not be sufficient to keep us from giving umbrage During Mr Vansittart's government, all your servants thought themselves entitled to take large shares in the monopolies of salt, betel, and tobacco, the three articles, next to grain, of greatest consumption in the empire The odium of seeing such monopolies in the hands of foreigners need not be insisted on, but this is not the only inconvenience, it is productive of another, equally, if not more prejudicial

[1] The *zemindaries* of Burdwan, Midnapur, and Chittagong, see No 16

to the Company's interests; it enables many of your servants to obtain, very suddenly, fortunes greater than those which in former times were thought a sufficient reward for a long continuance in your service. Hence these gentlemen, thus suddenly enriched, think of nothing but of returning to enjoy their fortunes in England, and leave your affairs in the hands of young men, whose sanguine expectations are inflamed by the examples of those who have just left them.

This, therefore, will be the greatest difficulty which I shall have to encounter; to persuade, or, if necessary, to oblige your servants to be content with advantages much inferior to those which, by the prescription of some years, they may think themselves entitled to. Yet if this is not done your affairs can never be settled on a judicious and permanent plan.

(Malcolm, *Life of Clive*, ii. 310.)

26. THE GRANT OF THE DIWANI

Firman from the King Shah Alam, granting the Diwani of Bengal, Behar, and Orissa to the Company, August 12, 1765.

At this happy time our royal *Firman*, indispensably requiring obedience, is issued; that whereas, in consideration of the attachment and services of the high and mighty, the noblest of exalted nobles, the chief of illustrious warriors, our faithful servants and sincere well-wishers, worthy of our royal favours, the English Company, we have granted them the *Diwani* of the Provinces of Bengal, Behar, and Orissa, ... as a free gift and *altamgau*, without the association of any other person ... it is requisite that the said Company engage to be security for the sum of twenty-six lacs of Rupees[1] a year, for our royal revenue, which sum has been appointed from the Nawab Najm-uddaula Bahadur, and regularly remit the same to the royal *Sarkar*;[2] and in this case, as the said Company are obliged to keep up a large Army, for the protection of the Provinces of Bengal, etc., we have granted to them whatsoever may remain out of the revenues of the said Provinces, after remitting the sum of twenty-six lacs of Rupees to the royal *Sarkar*, and providing for the expenses of the *Nizamat*.[3] It is requisite that our royal descendants, the Viziers, the bestowers of dignity, the *Omras* high in rank,

[1] £260,000. [2] Government. [3] Administration of justice.

the great Officers, etc leave the said office in possession of the said Company, from generation to generation, for ever and ever. Looking upon them to be assured from dismissal or removal, they must, on no account whatsoever, give them any interruption, and they must regard them as excused and exempted from the payment of all the customs of the *Diwani* and royal demands Knowing our orders on the subject to be most strict and positive, let them not deviate therefrom

(Aitchison, *Treaties and Sanads* (4th Ed), i 225)

27 The Position of the Nawab

Agreement between the Nawab Najm uddaula and the Company, September 30, 1765

The King having been graciously pleased to grant to the English Company the *Diwani* of Bengal, Behar, and Orissa, with the revenues thereof, as a free gift for ever, on certain conditions, whereof one is that there shall be a sufficient allowance out of the said revenues for supporting the expenses of the *Nizamat* · be it known to all whom it may concern, that I do agree to accept of the annual sum of *Sicca* Rupees 53,86,131-9,[1] as an adequate allowance for the support of the Nizamat, which is to be regularly paid as follows viz the sum of Rupees 17,78,854-1, for all my household expenses servants, etc, and the remaining sum of Rupees 36,07,277-8, for the maintenance of such horse, sepoys, peons, etc, as may be thought necessary but on no account ever to exceed that amount This Agreement (by the blessing of God) I hope will be inviolably observed, as long as the English Company s factories continue in Bengal

(Aitchison, *Treaties and Sanads* (4th Ed), i 229)

28 The Treaty with Oudh, 1765

Treaty between the Nawab Shuja uddaula (of Oudh) the Nawab Najm-uddaula (of Bengal), and the English Company, executed at Allahabad, August 16, 1765

(Sealed and approved of by the King)

1 A perpetual and universal peace, sincere friendship, and firm union shall be established between His Highness Shuja-uddaula and his heirs, on the one part, and His Excellency

[1] About £530,000

Najm-uddaula, and the English East India Company, on the other

2 In case the dominions of His Highness Shuja-uddaula shall at any time hereafter be attacked, His Excellency Najm-uddaula and the English Company shall assist him with a part or the whole of their forces, according to the exigency of his affairs and so far as may be consistent with their own security and if the dominions of His Excellency Najm-uddaula or the English Company shall be attacked, His Highness shall, in like manner, assist them with a part or the whole of his forces In the case of the English Company's forces being employed in His Highness's service, the extraordinary expence of the same is to be defrayed by him

3 His Highness solemnly engages never to entertain or receive Kasim Ali Khan, the late *Subadar* of Bengal, etc, Sombre,[1] the assassin of the English, nor any of the European deserters within his dominions, nor to give the least countenance, support, or protection to them He likewise solemnly engages to deliver up to the English whatever Europeans may in future desert from them into his country

4 The King Shah Alam shall remain in full possession of Kora and such part of the Province of Allahabad as he now possesses, which are ceded to His Majesty, as a royal demesne for the support of his dignity and expences

5 His Highness Shuja-uddaula engages in a most solemn manner, to continue Balwant Sing in the *zemindaris* of Benares, Ghazipur and all those districts he possessed at the time he came over to the late Nawab Jafar Ali Khan and the English, on condition of his paying the same revenue as heretofore

6 In consideration of the great expence incurred by the English Company in carrying on the late war, His Highness agrees to pay them fifty lacs of Rupees[2]

8 His Highness shall allow the English Company to carry on a trade, duty free, throughout the whole of his dominions

9 All the relations and subjects of His Highness, who in any manner assisted the English during the course of the late war, shall be forgiven, and no ways molested for the same

10 As soon as this Treaty is executed, the English forces

[1] Walter Reinhardt a German adventurer who had entered the service of Mir Kasim and is said to have slaughtered with his own hands the English prisoners taken at Patna in 1765 He was known by the nickname of *Sombre* or *Sumru* He had later an adventurous career in the north west, and acquired much wealth His widow (an Indian woman) appears later as the Begum Sumru See Keene's *Hindostan under Free Lances*

[2] £500,000

shall be withdrawn from the dominions of His Highness, excepting such as may be necessary for the garrison of Chunar, or for the defence and protection of the King in the City of Allahabad, if His Majesty should require a force for that purpose

(Aitchison, *Treaties and Sanads* (4th Ed), i 89)

29 The First Intervention of the British Parliament

Charles Townshend's Act, 1767

7 George III Cap LVII

Whereas the United Company of Merchants of England trading to the East Indies have proposed, that a temporary agreement should be made in relation to the territorial acquisitions and revenues lately obtained there , be it enacted

(1) That the Company shall pay into His Majesty's exchequer, for His Majesty s use, the sum of four hundred thousand pounds *per annum*, for and during the term of two years, to be computed from February 1, 1767, by half-yearly payments

(2) That all the territorial acquisitions and revenues, lately obtained in the East Indies shall remain in possession of the Company, during the said term of two years

(3) Provided That if the Company shall be dispossessed by any foreign power of any part of the said territorial acquisitions or revenues, the payment shall be reduced

30 Form of Indenture of the Company's Servants

(The following form of Indenture shows that the private trade conducted by the servants of the Company was at no time an unlicensed abuse, but that licence to trade was part of the conditions of service The fixed salaries were extremely small—as little as £15 *per annum* for junior servants , and no servant could have kept himself without trading Indeed, the servants went out primarily as private traders, but undertook the Company's work in return for a privileged position and a nominal honorarium The system seemed to be economical, and this was why the Company clung to it But on this basis it was impossible that Governmental functions could be undertaken The system was only gradually abandoned under the pressure of Parliamentary enactments and the urgency of Hastings and Cornwallis)

That upon the special request and intreaty of him, A B , the Company have received him into their service, as their writer (factor or otherwise) to serve them for the space of

years, to be employed on their business in any place within their limits between the Cape of Good Hope and the Streights of Magellan, and engage to pay him for the same the wages of pounds *per annum* And he, A B, engages that until the full expiration of the said years, he will serve them honestly and diligently, observe and fulfil all orders of the Company, or their representatives in India, will not do, or suffer to be done, any thing to the Company's prejudice, and that he will keep and conceal the Company's secrets And upon condition of his keeping and performing his covenants, the Company agree, that for the said term of years, he, the said A B, shall be freely permitted to trade and traffic for his own account only, from port to port in India, so as the said trade be subject to such rules and limitations as the Court of Directors shall from time to time direct, and forasmuch as grievous complaints, as is said, have been made to the Company that several of their Governors, Counsellors, Factors, and other Servants have committed very heinous and grievous offences in their factories and other places within their said limits of trade, by unjustly menacing imprisoning, assaulting abusing, and evil treating the natives and black merchants, and by means of such violences, abuses and injuries, have extorted and forced great sums of money and other valuable effects from such injured persons, who by reason of the great distance from this kingdom and the wholesome laws thereof, have been remediless Therefore it is also covenanted, that in case the said A B shall be accused of any such violences, it shall be lawful for such injured persons to send over complaints and attestations of such misdemeanours, in writing, to the Court of Directors, to whom it shall be lawful to award satisfaction and reparation for the same, to be made by the said A B And the said A B covenants also, that he will not be concerned, directly or indirectly, in any sort of commerce from Europe to the East Indies, or from the East Indies to Europe, on his own account

(Bolts, *Considerations on Indian Affairs*, 112)

31 Clive's Proposals for Increasing the Remuneration of Servants

Lord Clive to the Court of Directors, 1765

(It is often said that Clive's scheme of dividing the proceeds of a salt monopoly among the servants of the Company would have done away

with the evils of private trade But the following passage shows that this was not really so Fifty-five persons were to share in the proceeds, and the object was only to benefit those whose duties to the Company prevented them from making "anything considerable by private trade" There is no word of prohibition of trade The President was to get more than half of the total.)

(Paragraph 16) The necessity of rewarding the superior servants, both civil and military, is obvious, since the large investment required by the Company makes it impossible for individuals who perform their duty to acquire any thing considerable by private trade The means of regulating this reward have frequently employed my attention, and after the most mature deliberation I have found none so convenient, proper, or equitable as the trade in salt If you grant a commission upon the revenues the sum will not only be large but known to the world The allowance being publicly ascertained, every man's proportion will at all times be the occasion of much discourse, envy and jealousy The Great will interfere in your appointments, and noblemen will perpetually solicit you to provide for the younger branches of their families A commission upon your investment, whether upon the provision in Bengal, or the sales in Europe, is liable to the same objections But if you allow your servants the liberty of benefiting themselves by the trade in salt, the following consequences will result

32 Trade Oppression in Bengal

(The following passages are taken from *Considerations on Indian Affairs*, published by William Bolts in 1772, and refer to the period of Dual Government Bolts had been in the Company's employ, but was on bad terms with his former masters His temptation was to exaggerate, but the descriptions he gives are substantially true It should be noted that the fine cottons and muslins of India, which no western looms could rival before the days of machinery, constituted the chief exports to Europe)

(P 191) In this situation of things, as the trade of the Company increased, and with it the inland trade of individuals also in a much greater proportion, those evils, which at first were scarcely felt, became at last universal throughout the Bengal provinces and it may with truth be now said, that the whole inland trade of the country, as at present conducted, and that of the Company's investment for Europe in a more peculiar degree, has been one continued scene of oppression the baneful effects of which are severely felt by every weaver

and manufacturer in the country, every article produced being made a monopoly, in which the English, with their *banyans* and black *gomastas*, arbitrarily decide what quantities of goods each manufacturer shall deliver, and the *prices* he shall receive for them

(P 83) A *banyan* is a person (either acting for himself, or as the substitute of some great black merchant) by whom the English gentlemen in general transact all their business He is interpreter, head-book-keeper, head-secretary, head-broker, the supplier of cash and cash-keeper, and in general also secret-keeper He puts in the under-clerks, the porter or door-keeper, stewards, bearers of the silver staves, running-footmen, torch and branch-light carriers, palankin-bearers, and all the long tribe of under-servants, for whose honesty he is deemed answerable, and he conducts all the trade of his master, to whom unless pretty well acquainted with the country languages it is difficult for any of the natives to obtain access In short, he possesses singly many more powers over his master, than can in this country be assumed by any young spendthrift's steward, moneylender and mistress all together, and farther serves, very conveniently sometimes, on a public discussion, *to father such acts or proceedings as his master dares not avow*

There is a powerful string of connections among these *banyans*, who serve all the English in the settlements of Bengal, as well in all public offices as in their private affairs

Since the great influence acquired there by the English, many persons of the best Hindu families take upon them this trust or servitude, and even pay a sum of money for serving gentlemen in certain posts, but principally for the influence which they acquire thereby, and the advantage of carrying on trade, which they could not otherwise do, and which in this situation they frequently do, duty-free, under cover of their master's *dastaks* There have been few instances of any European acquiring such a knowledge in speaking, reading, and writing the Bengal language (which is absolutely necessary for a real merchant) as to be able to do without such a Head-*banyan*

(P 73) Inconceivable oppressions and hardships have been practised towards the poor manufacturers and workmen of the Country, who are, in fact, monopolized by the Company as so many slaves Various and innumerable are the methods of oppressing the poor weavers, which are duly

practised by the Company's agents and *gomastas* in the country, such as by fines, imprisonments, floggings, forcing bonds from them, etc, by which the number of weavers in the country has been greatly decreased The natural consequences whereof have been, the scarcity, dearness, and debasement of the manufactures as well as a great diminution of the revenues and the provision of the Company's investment has thereby now become a monopoly, to the almost entire exclusion of all others, excepting the servants of the Company highest in station, who having the management of the investment, provide as much as their consciences will let them for the Company, themselves and their favourites, excepting also the foreign Companies who are permitted to make some small investments, to prevent clamours in Europe

(P 192) But for the better understanding of the nature of these oppressions, it may not be improper to explain the methods of providing an *investment* of piece goods, as conducted either by the Export-warehouse-keeper and the Company's servants at the subordinate factories, on the Company's account, or by the English gentlemen in the service of the Company, as their own private ventures In either case, factors, or agents called *gomastas* are engaged at monthly wages by the gentleman's *banyan* These are dispatched, with a *parwana*[1] from the Governor of Calcutta, or the chief of a Subordinate[2] to the *zemindar* of the district where the purchases are intended to be made, directing him not to impede their business, but to give them every assistance in his power Generally a proportion of such goods as it is imagined can be sold advantageously in the said districts, are also dispatched, with the Company's *dastak*, and consigned to these *gomastas* Upon the *gomasta's* arrival at the *aurang*, or manufacturing town, he fixes upon a habitation, which he calls his *kachari*, to which, by his *peons* and *harkaras* he summons the brokers, together with the weavers whom he makes to sign a bond for the delivery of a certain quantity of goods, at a certain time and price, and pays them a part of the money in advance The assent of the poor weaver is in general not deemed necessary, for the *gomastas*, when employed on the Company's investment, frequently make them sign what they please, and upon the weavers refusing to take the money offered, it has been known they have had it tied in their girdles, and then have been sent away with a flogging

[1] Authorisation [2] Subordinate factory.

The brokers, who are usually and necessarily employed by the *gomastas*, as knowing and having accounts with all the weavers of the respective districts, are often as much oppressed as the weavers, but when separately employed they always make the latter pay for it A number of these weavers are generally also registered in the books of the Company's *gomastas*, and not permitted to work for any others, being transferred from one to another as so many slaves, subject to the tyranny and roguery of every succeeding *gomasta* The cloth, when made, is collected in a warehouse for the purpose, called a *khatta*, where it is kept marked with the weaver's name, till it is convenient for the *gomasta* to *hold a khatta*, as the term is, for assorting and fixing the price of each piece The roguery practised in this department is beyond imagination, but all terminates in the defrauding of the poor weaver, for the prices which the Company's *gomastas* fix upon the goods, are in all places at least fifteen per cent, and in some even forty per cent less than the goods so manufactured would sell for in the public Bazar, or market, upon a free sale The weaver, therefore, desirous of obtaining the just price of his labour, frequently attempts to sell his cloth privately to others, particularly to the Dutch and French *gomastas*, who are always ready to receive it This occasions the English Company's *gomasta* to set his *peons* over the weaver to watch him, and not infrequently to cut the piece out of the loom when nearly finished With this power and influence, the *gomastas*, in the mean time are never deficient in providing as many goods as they can on their own accounts, and for the *banyans* of their English employers

33 The Bad Working of Dual Government

(The following gloomy picture of Bengal under the Dual System is drawn from a letter laid before the Secret Committee of the Directors in July 1769, and written by Richard Becher, one of the Company's servants It at least shows a desire for improvement, and helped to decide the institution of English supravisors over the collection of Land Revenue later in the same year)

May 24, 1769

It must give pain to an Englishman to have Reason to think that since the accession of the Company to the *Duani* the condition of the people of this Country has been worse than it was before, and yet I am afraid the Fact is undoubted, this fine Country, which flourished under the most

despotic and arbitrary Government, is verging towards its Ruin.

In Aliverdi Khan's Time the amount of the Revenue paid into the Treasury was much less than what comes in at present, but then the *Zemindars*, *Sarrafs*,[1] Merchants, etc, were rich, and would at any time when an emergency required it supply the Nawab with a large sum, which they frequently did, particularly when he was at war with the Mahrattas The Custom then was to settle a *Malgazari*[2] with the different *Zemindars* on moderate terms the Nawab abided by his agreement, the *Zemindars* had a natural Interest in their *Districts*, and gave proper encouragement to the Ryots,[3] when necessary would wait for their Rents, and borrow Money to pay their own *Malgazari* punctually There were in all the Districts *Sarrafs* ready to lend money to *Zemindars* when required, and even to the *Ryots* which enabled many to cultivate their Grounds, which otherwise they could not have done This mode of Collection and a free Trade made this Country flourish even under an arbitrary Government, and at a Time when a large Tract of it was annually invaded by the Mahrattas, who burnt and destroyed all they could come at, the poor Inhabitants flying for shelter to the principal Cities, European Factories etc The swelling of the Rivers at the approach of the Rains always obliged the Mahrattas to retire and the inhabitants were again secure till January They having encouragement set immediately to work, and endeavoured to get their crops in, and sent to Market before the Time returned for the apprehended Invasion, insomuch that even under such Circumstances the Country was in a flourishing state and the *Zemindars* etc, able to pay the Nawab his requisitions the enormous sum of 1 Crore[4] at one time and 50 lacs at another, besides paying the *Malgazari* I mention this only with a view of showing what this fine Country is capable of under proper Management When the English received the grant of the *Diwani* their first consideration seems to have been the raising of as large sums from the Country as could be collected, to answer the pressing demands from home and to defray the large Expences here The *Zemindars* not being willing or able to pay the sums required, *Aumils*[5] have been sent into most of the Districts These

[1] Money-changers, bankers
[2] Land assessment
[3] Peasant cultivators
[4] 1 crore = 100 lacs or £1,000,000
[5] Aumil = Government Contractor for Revenue.

Aumils on their appointment agree with the Ministers[1] to pay a fixed sum for the Districts they are to go to, and the man that has offered most had generally been preferred What a destructive system is this for the poor Inhabitants! The *Aumils* have no Connection or natural Interest in the Welfare of the Country where they make the Collections, nor have they any certainty of holding their Places beyond the Year the best recommendation they can have is to pay up their *Kistbundi*[2] punctually, to which purpose they fail not to rack the Country whenever they find they cannot otherwise pay their *Kists* and secure a handsome sum for themselves

These *Aumils* also have had no check on them during the time of their Employment, they appoint those that act under them, so that during the Time of the Year's Collection their power is absolute There is no likelihood of complaints till the poor *Ryot* is really drove to Necesity by having more demanded of him than he can possibly pay Much these poor wretches will bear rather than quit their Habitations to come here to complain, especially when it is to be considered that it must always be attended with loss of time, risk of obtaining Redress, and a Certainty of being very ill-used should the *Aumil's* influence be sufficient to prevent the poor Man's obtaining justice or even access to those able to grant it to him On this destructive Plan and with a continual Demand for more Revenue have the collections been made ever since the English have been in possession of the *Diwani*

Whenever the Court of Directors shall think proper to avow the Management of the Revenue I think it cannot admit of doubt, that the plan to be pursued through the whole Country should be the same as is now practised at Burdwan, viz, letting the Lands out to farm for at least 3 years with an assurance that those who behave well, and give proper encouragement to their *Ryots*, should always have the preference in remaining Farmers of those Lands, when their Leases expired This method, and English gentlemen appointed to superintend the collections and the administration of justice, has occasioned the province of Burdwan to flourish, when the Countries adjacent to it under the government of the Ministers are in a very declining state Other necessary steps to be taken are to have as great a Check on the Collectors as you

[1] *I.e* Mahomed Reza Khan and his subordinates
[2] Kist or Kistbundi = Rent Contract

possibly can and to endeavour to fix the Rate of Collections in such a manner, that the *Ryot* may know as early as possible in the Season, what the Collector has a right to demand of him, and no further demand should be made on any Account whatever

(Secret Comm Cons, India Office Records, Range A 9)

34 The Institution of Supravisors, 1769

(The following passages are excerpted in an abbreviated form from the instructions issued to the 'Supravisors' by the Council at Calcutta It should be noted that the functions of the new officers were merely to supervise the action of the native officials as yet they exercised no direct administrative functions They were also permitted to continue private trade, which could not be prevented without a large increase in their salaries, and they were therefore tempted to abuse the position of authority with which they were endowed Hence the good intentions expressed in their instructions were defeated)

August 16, 1769

That in every province or district a Gentleman in the Service be appointed whose office is to be subordinate to the Resident of the *Durbar* [1] and managed as is expressly set forth in the following Letter of Instructions

The Services expected from you in your department —

1st A summary History of the Province etc 2nd The state, produce and capacity of the Lands 3rd The Amount of the Revenues, the Cesses or Arbitrary Taxes etc 4th The Regulation of Commerce an estimate of the productions of every District, Amount of Manufactures, Number of Manufacturers employed in each Branch, annual duties collected in them, Rise and Fall in Demand etc, to lay open and abolish the several Species of Imposition 5th The Administration of Justice to enforce Justice where the Law demands it, checking every Composition by Fine or Mulct, and where any disputes arise in matters of property you should recommend the method of Arbitration

Form of Instructions to be issued by the Resident at the Darbar to the several Supravisors, August 16, 1769

Your Commission entrusts you with the superintendence and charge of a province whose rise and fall must considerably affect the public welfare of the whole The exposing and

[1] *I e* the Company's resident agent at the Nawab's court at Murshidabad

eradicating numberless oppressions which are as grievous to the poor as they are injurious to the Government, the displaying of those national principles of honour, faith, rectitude, and humility which should ever characterise the name of an Englishman, the impressing the lowest individual with these ideas, and raising the heart of the *Ryot* from oppression and despondency to security and joy, are the valuable benefits which must result to our nation from a prudent and wise behaviour on your part Versed as you are in the language, depend on none where you yourself can possibly hear and determine Let access to you be easy and be careful of the conduct of your dependents Aim at no undue influence yourself, and check it in all others Great share of integrity, disinterestedness, assiduity, and watchfulness is necessary, not only for your own guidance, but as an example to all others, or your activity and advice will be in vain unless confirmed by example

Limitations of the Supravisors Powers

December 15, 1769

The Supravisor shall for the present have as little to do with the collections as possible, in order that they may not be encumbered in the important Researches they will be directed to make, but in order to give their authority its necessary weight and to prevent the *Aumils* or *Zemindars* from counteracting their measures, the Supravisor should have a controuling, though not an immediate, active power over the collections, or in other words the *Aumils*, *Zemindars* or other officers superintending them should be ordered to consult and mutually act on every occasion with, and report all Transactions to the Supravisor, and in case that points of difference should arise the Supravisor must have a negative voice until he can report his reasons for such negative to the Resident at the *Durbar* and receive from him the orders of the Ministry [1] on the occasion, the Supravisor should also have the same negative voice in all judicial Proceedings

To restrict the Supravisors from the general benefit of Trade, so long as it does not rise to monopoly or counteract commerce is not the Intention of this Committee

(Secret Comm Cons, India Office Records, Range A 9)

[1] *I e.* the Nawab's ministry

35 The Great Famine of 1770

From the President and Council at Calcutta to the Directors

November 23, 1769

It is with great concern, Gentlemen, that we are to inform you that we have a most melancholy prospect before our eyes of universal distress for want of grain Owing to an uncommon drought that has prevailed over every part of the country, insomuch that the oldest inhabitants never remember to have known anything like it, and as to threaten a famine

As there is the greatest probability that this distress will increase, and a certainty that it cannot be alleviated for six months to come, we have ordered a stock of grain sufficient to serve our army for that period, to be laid up in proper storehouses, and we have taken and shall pursue every means in our power to relieve the miserable situation the poor inhabitants must be involved in from this dreadful calamity, but we cannot flatter ourselves that all our endeavours will prevent very fatal effects being felt, or that human means can check its baneful influence

May 9, 1770

Not a drop of rain has fallen in most of the districts for six months The famine which has ensued, the mortality, the beggary, exceed all description Above one-third of the inhabitants have perished in the once plentiful province of Purneah, and in other parts the misery is equal

From Mahomed Reza Khan, received May 15, 1770

To this hour I have laboured as well in the collections as in every other branch, with the diligence and attention of the most faithful well-wisher and as far as the fallible nature of mankind will admit, I have been guilty of no omission But as there is no remedy against the decrees of Providence, how shall I describe the misery of the country from the excessive droughts, the dearness and scarcity of grain hitherto, but now a total failure? The tanks and springs are dried up, and water grows daily more difficult to be procured Added to these calamities, frequent and dreadful fires have happened throughout the country, impoverished whole families, and destroyed thousands of lives Before, each day furnished accounts of the fate of thousands, but notwithstanding, some hopes were still left that during the months of April

and May we should be blessed with rain, and the poor *ryots* able to till their ground, but to this hour not a drop has fallen The coarse crop which is gathered at this season is entirely spoilt, and the seed for the August crop is sown during the months of April and May It is now the middle of the latter month, and they have not begun for want of rain Even now, by the help of a few showers, something might be done If the scarcity of grain and want of rain had been confined to one spot in the province, management and attention might find a remedy, but when the evil is total, there can be no remedy but in the mercy of God I know not what the divine will has ordained shall befall this country The calamity is past the ingenuity of man The Almighty alone can deliver us from such distress

Opinions of the Court of Directors on the action of the Bengal Council during the Famine

We are led to these reflections by perusing the letters from Mr Becher and Mahomed Reza Khan, which accuse the *gomastas* of English gentlemen not barely for monopolising grain, but for compelling the poor *ryots* to sell even the seed requisite for the next harvest It was natural for us to expect, upon reading the above advices, that the strictest enquiry into the names and stations of all persons capable of such transactions would have been the immediate consequence, and that the most exemplary punishment had been inflicted upon all offenders who could dare to counteract the benevolence of the Company and entertain a thought of profiting by the universal distress of the miserable natives, whose dying cries, it is said, were too affecting to admit of an adequate description

You will judge from hence how great must have been our surprise on observing that, upon a general charge of this nature having been made, and not one name specified either by Mr Becher or Mahomed Reza Khan, you never entered into any enquiry at all about the matter! And what seems equally strange and absurd, you in general terms tell the Resident at the *Durbar* he may depend on your concurrence in every measure that may tend to relieve the distress of the poor in this time of dearth, and yet reject the only particular remedy pointed out and recommended by him for that purpose!

As part of the charge sets forth that the *ryots* were

compelled to sell their rice to these monopolizing Europeans, we have reason to suspect that they could be no other than persons of some rank in our service, otherwise, we apprehend they would not have presumed on having influence sufficient to prevent an enquiry into their proceedings

(Hunter, *Annals of Rural Bengal*, 399)

36 The Need for Responsible Government

(The state of things described in the foregoing excerpts obviously called for drastic reform William Bolts, whose recommendations, contained in his Preface, are printed below, saw that the only effective cure would be the assumption of direct responsibility The Directors were not ready to go so far But the fear of bankruptcy made them resolve at least to undertake the direct collection of the revenues, and fortunately they selected, in Warren Hastings, a man for this task who saw much further than themselves Meanwhile the English Government had also awakened to a sense of these iniquities, and the Act of 1773 was the result)

In this new situation of the society (Company) so widely different from its original institution their true commercial interests appear almost entirely misunderstood or neglected, and it may be safely said, there is scarcely any public spirit apparent among their leaders, either in England or in India The loaves and fishes are the grand, almost the sole object The questions, How many lacs shall I put in my pocket? or, How many sons, nephews, or dependents shall I provide for, at the expence of the miserable inhabitants of the subjected dominions? are those which of late have been the foremost to be propounded by the Chiefs of the Company on both sides the ocean Hence the dominions in Asia like the distant Roman provinces, during the decline of that empire, have been abandoned, as lawful prey, to every species of peculators, insomuch that many of the servants of the Company after exhibiting such scenes of barbarity as can scarcely be paralleled in the history of any country, have returned to England loaded with wealth, where, intrenching themselves in borough or East-India stock influence, they have set justice at defiance, either in the cause of their country or of oppressed innocence

The soil, revenues, justice, and interior government of these countries are entirely in the hands of the English East India Company, the prince, whom they call the Grand Mogul, being the mere instrument of their power, set up by

them, and supported by a pension for the serving of their own private purposes, the pretended Nawabs of Bengal and Behar being the actual stipendiary servants of the said Company, and the *Diwani*, under which title they pretend to hold those territorial possessions, being a mere fiction, invented for the private purposes of the Company and their servants

The revenues of the provinces of Bengal, Behar, and part of Orissa, which the Company collect, were in the year 1765 estimated to amount to upwards of three millions six hundred thousand pounds sterling per annum, and by proper management they might with ease have been improved by this time to six millions Besides, there are immense commercial advantages which might be made of those territories by this kingdom but at present, under the ridiculous plan of a double government, they are every way exhausted by plunder and oppression, and while this nation is gazing after the fruit, the Company and their substitutes are suffered to be rooting up the tree

The different interests of the Company, as sovereigns of Bengal and at the same time as monopolizers of all the trade and commerce of those countries, operate in direct opposition, and are mutually destructive of each other, so that without a new system, the progress must be from bad to worse The Company, if left to pursue its present system, will ruin itself, the possessions in Bengal will be beggared, and this kingdom deprived of the advantages of those possessions which might be the means of greatly relieving the circumstances of the nation, and of raising it to a state of prosperity and power almost beyond example

It is the wisdom and power of the Legislature alone that can prevent the total impoverishment or loss of the Bengal provinces, either of which misfortunes might now prove fatal in its consequences to this kingdom This can only be effected by law for securing the impartial administration of justice *throughout* those dominions, for preventing the commission of those oppressions and irregularities which have of late years prevailed, to the disgrace of British government, for more easily and effectually punishing *in India* the authors of such enormities when committed and for improving and rendering permanent those resources which the nation has a right to expect from the conquered countries Such laws would equally tend to promote the laudable and desirable object

of regaining and securing an interest in the hearts of the subjected natives, who wish only to receive their protection and happiness from a British Sovereign, in which state of things this nation might long possess the Bengal provinces, even against the combined efforts of Indian enemies and European rivals

(Bolts, *Considerations on Indian Affairs*, 1772, Preface)

CHAPTER IV

THE ESTABLISHMENT OF EFFICIENT AND RESPONSIBLE GOVERNMENT

Warren Hastings

1772–1785

THE period of the Governorship (1772–74), and Governor-Generalship (1774–85) of Warren Hastings was the most critical in the history of British India. When the period opened, the Company was on the verge of bankruptcy, in spite of the assumption of control over the public revenues of Bengal. Its servants were demoralised and corrupted by the temptations to which they were exposed. Its relation to the native government was unreal and unhealthy. Its supremacy had hitherto proved to be nothing but a curse to the inhabitants of the huge provinces, which it neither ruled itself nor allowed the native powers to rule freely. Even if the Company did not sink under the burden of its own financial disorganisation, it seemed certain that its power would collapse before any formidable combination of the native states. From these evils it was saved by the genius of one man, working in the face of incredible obstacles. When Warren Hastings returned to England in 1785, to be impeached by an ungrateful country, the Company which he served was in a sound financial condition, though it had just waged great wars against the most powerful states of India such as would have ruined it fifteen years earlier; its territories had been effectively brought under its direct responsible government; the whole system of administration had been purified, clarified, and

reorganised, and the foundations laid upon which the admirable structure of later days was to rise, the worst abuses among its servants had been removed, its subjects enjoyed a prosperity and a complete immunity from the ravages of invasion such as had long been strange to them, to all of them, in a degree never before known in India, equal and impartial justice had been thrown open, and the British power in India, without materially extending its limits,[1] had in the course of a double war with the Mahrattas and Hyder Ali, established its position as the most formidable power in India. And all this had been achieved at a time when little aid was to be expected from England, and when in every other region of the world British prestige had sunk to its lowest ebb as a result of the disasters of the American Revolutionary War. Such was the achievement of the greatest Englishman who has ever laboured in India. It is not too much to say that the work of Warren Hastings in these years constitutes the real establishment of the British power in India. For that reason it has seemed necessary to allot to it a much larger proportionate space than can be allowed to other periods.

The period of Warren Hastings falls into three clearly marked sections. (1) From 1772 to 1774 he was President of Bengal under the old regulations, and it is during this period that his main reforms in government were effected. (2) In 1774, under the terms of the Regulating Act, he became Governor-General, and his authority extended in some degree, for the first time, over Madras and Bombay. But he was from the first overridden by the majority of his Council, who, under the terms of the Act, had equal votes with himself, and until the death of Colonel Monson in 1776 enabled him, by the use of his casting-vote, to obtain a majority, he cannot be held responsible for the government. During this period many grave blunders were committed, which added to Hastings' difficulties in the future. (3) From 1776 to 1785 he

[1] The only considerable acquisition of territory during the governorship of Hastings was the *zemindari* of Benares ceded by Oudh. This was acquired by a treaty forced upon Oudh in 1775 by the majority of Hastings' Council and in face of his opposition.

held a majority, but his position till 1782 was still precarious During these years—the years of the American War—he had to deal with a great combination of enemies, and could not devote his whole attention to the work of reform Yet even in these years he achieved much If he had been given a free hand, or if the Councillors appointed under the Act of 1773 had not entered upon their work with the deliberate intention of resisting and opposing him at every point, he would have achieved far more How bitterly he regretted the loss of this great opportunity is set forth in his final letter on leaving India (No 60) It will be convenient to deal with the three periods separately

Period I

THE WORK OF ADMINISTRATIVE REFORM, 1772–74

Dissatisfied with the returns from the Diwani, the Directors sent out Hastings in 1772 with specific instructions that the administration of the revenues was to be brought under the direct control of the President and Council The Company was to "start forth as Diwan" Mahomed Reza Khan, who had not only acted as *Naib* (or Deputy) *Diwan* for the Company since 1765, but had also controlled the whole of the *nizamat* or ordinary administration as deputy for the Nawab, and Raja Shitab Rai, who had acted as *Naib Diwan* of Behar, were to be deposed, arrested, and brought to trial for malversation Hastings, of course, obeyed these orders, but he had little belief in the desirability of the enquiry, and, in fact, after a long investigation, both officials were acquitted Hastings, indeed, took a much broader view of the problem than the Directors He saw that the real task was the reconstruction of the whole system of revenue-collection and the administration of justice The spirit in which he approached his task is illustrated by the first three excerpts No one can read these passages without realising that a powerful brain is at last being turned upon the "confused heap of undigested

materials, as wild as the chaos itself" He sees that the only cure for poor revenue returns is to restore the prosperity of the country by setting up a just and efficient system of government He sees also that, with the means at his disposal, a perfect system is out of the question, all that he can do is to experiment, and gradually improve He possessed that mark of a great constructive statesman—a willingness to discard his own solutions when anything better became possible

The work of these years falls into two main sections, which were closely related the collection of the land-revenue and the administration of justice, representing roughly the spheres of the *diwani*, for which the Company had been nominally but not really responsible since 1765, and the *nizamat* for which the Nawab (acting through his *Naib*, Mahomed Reza Khan) had been responsible It was only the former which interested the Directors, Hastings dealt forcibly with both, perceiving that they could not be separated, and thus took over, in effect, the *nizamat* as well as the *diwani*

His revenue reforms are described in Nos 41 and 43-6 The main points to notice are (1) that a careful new assessment was made, based on a laborious enquiry in each district in turn, (2) that while the total sum payable by the *zemindar*, or revenue-farmer, for each district was fixed for five years so as to give some security, the interests of the *ryots*, or peasant-cultivators, were carefully guarded by insisting upon their being given clear contracts or *pottas*, thus protecting them against the variable and excessive exactions to which they had hitherto been subject, (3) that the headquarters of revenue and administration were transferred from Murshidabad (where it had been controlled partly by Mahomed Reza Khan and partly by an irresponsible Revenue Board of junior servants of the Company) to Calcutta, where it was immediately under the control of the President and Council, (4) that while the English Collectors (the Supravisors of 1769) remained in control of the collections in the districts into which Bengal was divided for this purpose, Hastings disliked the arrangement, because he felt that so long as they were permitted to

engage in private trade the Collectors, and still more their *banyans*, or native agents, were under an almost irresistible temptation to misuse their position—all the more because they were mostly very young men (see Nos 37, 44) He found it impracticable to do away with the system immediately In 1774 the Directors, convinced by his arguments, decreed the abolition of the Collectors and the substitution of District Boards, each presided over by a member of Council (No 45) These Boards undertook both revenue work and civil jurisdiction, subject to the Supreme Council or its Revenue Board at Calcutta Hastings liked this scheme as little as the other, because it withdrew the Councillors from headquarters, where their main work ought to be, and because they would be equally open to the temptations which beset the Collectors, and more mischievous if they succumbed He would have preferred a system of Indian *diwans* or treasurers for these large districts, but was never free to work out his scheme fully

Here a word should be said on Hastings' attitude towards the servants of the Company Although he regarded the position of the Collectors as a very mischievous one, he refuses to condemn the whole service sweepingly (No 39) Their corruption has been the result of a bad system, under a good system he is confident that they will prove as honourable and public-spirited as their fellow-countrymen elsewhere This fine confidence, which was in itself a challenge to all that was best in the service, finds expression in his advice to officers (No 40), and events proved that he was right the men who in 1772 were universally condemned as corrupt tyrants were the same men who later (thanks mainly to Hastings) gave to Bengal justice and honest government such as it had never known before The main cause of all the evil was to be found in the permission of private trade, which could not be withdrawn so long as the Company continued to pay only nominal salaries It was not until after Hastings left India that this essential reform was finally effected, though he did much to carry it out (See No 45) In particular he

got rid of the worst source of evil by new trade regulations, in which he abolished the much abused *dostak*, and subjected the goods of the Company and those of their servants, as well as those of Indian merchants, to a uniform scale of duty (No 46) By these and other means Hastings worked a marvellous improvement in the spirit of the service, and he was able to do so because he understood

The judicial reforms of these years are described in Nos 42, 43 The careful analysis of the old system in No 42 should especially be noted, the outstanding feature of the whole reform is the desire which it shows to retain as fully as possible Indian customs and machinery, only removing their defects, and reducing the chaos of conflicting jurisdictions to order The main features to note are (1) the establishment of two supreme courts for criminal and civil cases, each with a staff of Indian judges, at Calcutta, under the supervision of the Supreme Council, (2) the institution of provincial courts of each type in the various districts of Bengal, so as to make justice easily accessible—this was an indescribable boon, (3) the abolition of vexatious fees and of judges' perquisites, and the establishment of fixed salaries for the judges, so as to make justice cheap to the suitor, and to free it from the suspicion of corruption Although, like his first revenue reforms, Hastings' judicial system underwent many changes (some of them the product of his own fertile and tireless brain) he deserves the credit of having been the first to institute a clean and efficient system of justice in Bengal We cannot trace all these changes in detail Here our object is to bring out the difficulty of the problem, and the way in which it was tackled by a great statesman

Thus at the end of two years' Herculean labours the Company had at last become the real responsible rulers of Bengal, and a first sketch (Hastings regarded it as no more) of a new scheme of government had been worked out Meanwhile the indefatigable President was busy readjusting the relations of the new government with the native powers, and especially with its nominal suzerain the Mogul, and with its

great neighbour, Oudh When Clive made his arrangement with the Mogul Shah Alam in 1765 (*see* Chapter III) that prince was landless and penniless, an exile from his capital Delhi, and had just escaped by English aid from being practically the prisoner of the Nawab-Vizier of Oudh Clive gave him a rich territory (Allahabad and Kora), and undertook to pay him a heavy annual tribute from Bengal This tribute proved, of course, a burden upon the revenues for which neither the Company nor the people of Bengal got any return its only value was that the Mogul at Allahabad was dependent upon the Company, who could use his prestige and obtain *sanads* (grants) from him when they liked In effect the Mogul Empire was dead, and the maintenance of its powerless representative as the puppet of Oudh, or the Company, or the Mahrattas, did no service to India, and very little to those who wielded his nominal authority In 1771 Shah Alam, tempted by the prospect of returning to Delhi, the ancient capital of the Empire, had placed himself in the hands of the Mahrattas, who then controlled that city These formidable raiders had repeatedly invaded Bengal, and claimed *chauth* or blackmail from the province They were the most dangerous foes to its peace Hastings therefore refused to continue to pay the tribute which no other Indian province was paying, and which would only go into the Mahrattas' treasury (No 48) When the Mahrattas claimed to occupy Allahabad and Kora as a grant from the Mogul, Hastings declined to admit their claim, and handed over these lands to Oudh in return for a handsome payment He also made a new arrangement with the Nawab-Vizier of Oudh This agreement, which is known as the treaty of Benares, turned Oudh into a vassal state, and is the prototype of a long series of ' subsidiary treaties " by which the principal states of India were gradually brought under the paramount power of the Company That Hastings definitely contemplated an extension of these methods is shown by No 47 Indeed, he anticipated Wellesley (*see* Chapter VI) in the conception of the Company as the paramount power of India, securing the peace of the whole country

by a great system of alliances The immediate object of the Oudh treaty, however, was to strengthen this state so as to make it an effective barrier against the Mahrattas on the only undefended frontier of Bengal For this purpose he encouraged the Nawab to conquer the turbulent Afghan Rohillas who had recently imposed their rule upon the Hindu population of Rohilkhand, a district which commanded Oudh on the north, and itself lay open to Mahratta attack for this purpose he lent a brigade of British troops The Rohilla war was subsequently one of the main counts of the indictment against him We cannot here enter into the detail of this subject, which is treated fully in Strachey's *Rohilla War* But Nos 48 and 49 explain Hastings' reasons for undertaking the enterprise, and show that it was part of a policy of strengthening the nearest neighbour and chief ally of the Company

When the new government defined by the Act of 1773 took up its functions, the Company's sovereignty in Bengal had been established, its system of government had been put into order (though it still needed much development) and its position among the Indian states had been regularised and defined This was the result of Hastings' first two years

37 Hastings on the Difficulties of His Task

To Jonas Dupre March 26, 1772

The portrait of Bengal extracted from another letter, I am grieved to say, falls short of the life Will you believe that the boys of the service are the sovereigns of the country under the unmeaning title of Supervisors, collectors of the revenue, administrators of justice, and rulers, heavy rulers of the people? They are said to be under the control of the Board of Revenue at Murshidabad and Patna, who are lords of these capitals, and of the districts annexed to them, and dispose of the first offices of the state Subject (as it is said also) to the Governor and Council, who, you may take my word for it, if the conclusion be not self-evident, have neither power, trust, nor emolument, but are honoured only with responsibility This is the system which it seems my prede-

cessor was turned out for opposing, and I will be turned out too, rather than suffer it to continue as it is

(Gleig, *Life of Hastings*, i 234)

38 The Need for Experiment

To R C Barwell, July 22, 1772

Your observation upon the impossibility of obtaining a perfect system is perfectly just In many cases we must work as an arithmetician does with his *Rule of False* We must adopt a plan upon conjecture try, execute, add, and deduct from it, till it is brought into a perfect shape Yet this mode is liable to many inconveniences It affords scope for the reproach of levity, and the finishing stroke though the result of all the former proceedings, shall bear away all the credit of it, while the troubles attending the first experiment will be charged to the account of the first projectors This is precisely our present case The new government of the Company consists of a confused heap of undigested materials, as wild as the chaos itself The powers of government are undefined, the collection of the revenue, the provision of the investment, the administration of justice (if it exists at all), the care of the police, are all huddled together, being exercised by the same hands, though most frequently the two latter offices are totally neglected Added to the difficulties attendant on the arrangement of each, we have them all to separate and bring into order at once With such a variety of objects, the little we can do will bear so small a proportion to what we shall leave undone, that I fear if we escape censure, we have little ground to hope for applause from our superiors

(Gleig i 316)

39 The Need of Centralised Authority

To the Court of Directors, November 11, 1773

May I be permitted, in all deference and submission to your commands, to offer it as my opinion, that whatever may have been the conduct of individuals, or even of the collective members of your former administrations, the blame is not so much imputable to them as to the want of a principle of government adequate to its substance, and a coercive

power to enforce it The extent of Bengal, and its possible resources, are equal to those of most states in Europe Its difficulties are greater than those of any, because it wants both an established form and powers of government Our constitution is nowhere to be traced but in ancient charters which were framed for the jurisdiction of your trading settlements, the sales of your exports, and the provision of your annual investment I need not observe how incompetent these must prove for the government of a great kingdom, and for the preservation of its riches from private violence and embezzlement

Among your servants, who for a course of years have been left at large in possession of so tempting a deposit, it is not to be wondered at that many have applied it to the advancement of their own fortunes, or that those who were possessed of abilities to introduce a system of better order should have been drawn along by the general current

I should not have presumed to expatiate on a subject of this nature but that your late advices have given hopes that we shall speedily be furnished with your instructions for establishing a system of law and polity which we hitherto want Whenever this work shall be accomplished on a foundation of consistency and permanency I will venture to foretell, from the knowledge which I have of the general habits and manners of your servants, that you will hear of as few instances of licentiousness amongst them as among the members of any community in the British empire As this, whenever attempted must necessarily be a work of time, I entreat your permission to submit to your consideration such defects in your present system as my experience has suggested to me

The powers of the governor although supposed to be great, are in reality little more than those of any individual in his Council At the same time I must do the gentlemen of the Board the justice to declare that I have found in them so cordial a disposition to co operate with me in every measure for the public good, that I feel no want of extraordinary powers for myself I mention this want only as a defect in the service, which is rendered still more important by the false opinion that the principal authority rests constitutionally in the hands of the President, when in effect it is merely accidental

To draw the line between him and the other members of his administration, and to define the powers which may be

entrusted to his charge, would not be an easy task The distant and slow interposition of the supreme power which is lodged in your hands cannot apply the remedies to the disorders which may arise in your state[1] A principle of vigour, activity, and decision must rest somewhere In a body of men entrusted with it, its efficiency is lost by being too much divided

(Hastings then proceeds to describe certain changes which he feels to be desirable in the powers of the President or Governor, of which the following are the most important)

3 The President shall have the privilege of acting by his own separate authority on such urgent and extraordinary cases as shall in his judgment require it, notwithstanding any decision of the Council or of the committee, passed thereon On every such occasion the President shall record his resolution to act in the manner above specified, in virtue of the power thus vested in him, and shall expressly declare that he charges himself with the whole responsibility[2]

4 All civil appointments within the province shall be made by the Board at large but the President shall be empowered of his own authority to prevent any particular appointment, and to recall any person not being a member of the Board, from his station, even without a reason assigned All appointments beyond the provinces, and all military appointments which are not in the regular line of promotion, shall be made by the President alone

One clause only in the last article may require some explanation, namely, the power proposed for the governor of recalling any person from his station "without assigning a reason for it" In the charge of oppression, although supported by the cries of the people and the most authentic representations, it is yet impossible in most cases to obtain legal proofs of it, and unless the discretionary power which I have recommended be somewhere lodged, the assurance of impunity from any formal inquiry will baffle every order of the Board

(Gleig i 368)

[1] The voyage from England to India commonly took from five to six months Thus a year would usually elapse before the orders of the Directors could be received on matters arising in India

[2] This provision was actually adopted in the Act of 1793 (*see below*, No 65) and remains part of the power of the Viceroy But Hastings never enjoyed this discretionary power He always had to carry his Council with him

40 Hastings' Advice to Officers of the Company

July 21, 1772.

I earnestly recommend to you to set apart a fixed portion of your time daily, or as often as your other duties will permit, to hear and decide all complaints that shall be brought before you It will facilitate your business much if you keep a brief register of all causes that shall be brought before you, entering the names of the complainant and the respondent, with the general charge, and your decision, those of each *pargana*[1] being registered apart By this means you will at any time see by a glance on your register whether the same persons have ever been brought before you, or the same causes before decided

A few instances of strict justice afforded to the persons injured, and a few severe examples made of great offenders, will save you much future trouble by lessening the number of complainants as there will be fewer causes of complaint

Your own servants, unless attended to with a most watchful eye, will be the greatest oppressors of the country, each in proportion to the confidence that you repose in him You cannot avoid committing much to their charge, but one of the most likely means of restraining their licentiousness will be to pay a particular attention to the complainants against them, and to make it known that you will protect the complainants from their resentment (Gleig i 314)

41 A First Survey of the Work of Reform

Dispatch from Hastings to the Court of Directors, November 3, 1772

Hon'ble Sirs — Though 7 years had elapsed since the Company became possessed of the *Diwani*, yet no regular Process had ever been formed for conducting the Business of the Revenue Every *Zemindari* and every *Taluk*[2] was left to its own peculiar Customs These indeed were not inviolably adhered to The Novelty of the Business to those who were appointed to superintend it, the chicanery of the people whom they were obliged to employ as their agents, the accidental Exigencies of each District, and not infrequently, the just

[1] District

[2] A *zemindari* is the land revenue district under a *zemindar* or hereditary collector a *taluk* is the smaller area under a *talukdar*, who is a lesser *zemindar*.

Discernment of the Collector, occasioned many changes. Every change added to the confusion and few were either authorised or known by the presiding Members of the Government The Articles which composed the Revenue—the Form of keeping Accounts, the Computation of time, even the Technical Terms, which ever form the greatest part of the obscurity of every science—differed as much as the soil and productions of the Province This Confusion had its origin in the Nature of the Former Government The *Nazims* exacted what they could from the *Zemindars* and great Farmers of the Revenue, whom they left at Liberty to plunder all below them, reserving to themselves the prerogative of plundering them in their Turn, when they were supposed to have enriched themselves with the spoils of the Country These Profits were considered as illegal Embezzlements, and therefore were taken with every Precaution that could ensure secrecy, and being, consequently, fixed by no Rate, depended on the Temper, Abilities, or Power of each Individual for the Amount It therefore became a duty in every man to take the most effectual measures to conceal the Value of his Property, and elude every Inquiry into his Conduct, while the *Zemindars* and other Landholders who had the Advantage of long Possession, availed themselves of it by complex Divisions of the Lands and intricate modes of Collection to perplex the Officers of the Government, and confine the knowledge of the Rents to themselves It will easily be imagined that much of the Current Wealth stopped in its way to the public Treasury

To the original Defects inherent in the Constitution of these Provinces were added the unequal and unsettled Government of them since they became our property A part of the Lands which were before in our possession, such as Burdwan, Midnapur, and Chittagong, continued subject to the authority of the Chiefs, who were immediately accountable to the Presidency The 24 *Parganas*, granted by the Treaty of Plassey to the Company, were theirs on a different Tenure, being their immediate property by the Exclusion of the *Zemindars*, or hereditary Proprietors their rents were received by Agents appointed to each *Pargana*, and remitted to the Collector, who resided in Calcutta

The Rest of the Province was for some time entrusted to the joint-charge of the *Naib Diwan* and Resident of the Durbar, and afterwards to the Council of Revenue at Murshi-

dabad, and to the Supervisors who were accountable to that Council The administration itself was totally excluded from a concern in this Branch of the Revenue

The internal arrangement of each District varied no less than that of the whole Province The Lands subject to the same Collector, and intermixed with each other, were some held by Farm, some superintended by Agents on the part of the Collector, and some left to the *Zemindars* and *Talukdars* themselves, under various degrees of Controul The First were racked without mercy, because the Leases were but of a Year's standing, and the Farmer had no Interest or Check to restrain him from extracting more than the Land could bear The Second were equally drained, and the Rents embezzled, as it was not possible for the Collector, with the greatest degree of attention on his part, to detect or prevent it The latter, it may be supposed, were not exempted from the general corruption If they were, the other Lands which lay near them would suffer by the migration of their inhabitants, who wou'd naturally seek Refuge from Oppression in a milder and more equitable Government

The Administration of Justice has so intimate a connection with the Revenue, that we cannot omit the mention of it, while we are treating of this subject in a general view The Security of private property is the greatest Encouragement to Industry, on which the wealth of every State depends The Limitation of the Powers annexed to the Magistracy, the Suppression of every Usurpation of them by private authority, and the Facilitating of the access to Justice, were the only means by which such a Security cou'd be obtained But this was impossible under the circumstances which had hitherto prevailed While the *Nizamat*[1] and the *Diwani*[2] were in different Hands, and all the Rights of the Former were admitted, the Courts of Justice, which were the sole Province of the Nazim could receive no Reformation The Court and Officers of the *Nizamat* were continued, but their Efficacy was destroyed by the Ruling Influence of the *Diwani* The regular Course of Justice was everywhere suspended, but every man exercised it who had the Power of compelling others to submit to his Decisions The People were oppressed, they were discouraged, and disabled from improving the

[1] The control of police and general administration, which remained with the Nawab and his officers

[2] The collection of the revenue, which was controlled by the Company, though mainly conducted by Indian officers

Culture of their Lands, and in proportion as they had the demands of Individuals to gratify, they were prevented from discharging what was legally due to Government

Such was the State of the Revenue, when your Commands were received by the *Lapwing*, and happily removed the difficulties which had hitherto opposed the Introduction of a more perfect System, by abolishing the Office of *Naib Diwan*, and authorising your administration to assume openly the Management of the *Diwani* in your Name, without any Foreign Intervention

In the execution of these your Intentions, the points which claimed our principal attention, as will appear from the above Description, were to render the Accounts of the Revenue simple and intelligible, to establish Fixed Rates for the Collections, to make the Mode of them uniform in all parts of the Province, and to provide for an equal administration of Justice In the steps which we have already taken, we have laboured to obtain these ends, with what Success will be seen hereafter

In order to secure the Inhabitants in the quiet Possession of the lands whilst they held them on terms of cultivation, and to prevent such Exactions as aforementioned in future, the Committee[1] formed new *Amulnamas* or Leases, in which the claims upon the *Ryots* were precisely and distinctly ascertained, and the Farmers restricted from making any further Demands, under the severest Penalties To this end, and to prevent the Farmers from eluding this restriction, they were ordered to grant new *Pottas*, or Deeds, to the *Ryots*, the Form of which was drawn out by the Committee and made public, specifying the conditions on which they were to hold their Land, the separate Heads or Articles of the Rents, and every encouragement was contained in them to cultivate the waste ground on a moderate and increasing Rent

The more regular Administration of Justice was also deliberated on by the Committee of Circuit, and a Plan was formed by them which afterwards met with our Approbation. We cannot give you a better Idea of the Grounds on which this was framed, than by referring you to a Copy of it, together with a Letter from the Committee to the Board on the Occasion[2] We hope they will be read with that Indulgence

[1] The Committee of Circuit appointed by Hastings to investigate each district in turn and fix the assessments for the land revenue Hastings was himself the chairman of this Committee

[2] This letter forms No 42 below

which We are humbly of Opinion is due to a Work of this kind, undertaken on the plain Principles of Experience and Common Observation, without the advantages which an intimate Knowledge of the Theory of Law might have afforded us We have endeavoured to adapt our Regulations to the Manners and Understanding of the People, and Exigencies of the Country, adhering, as closely as We were able, to their Antient Usages and Institutions It will be still a Work of some Months, We fear, before they can be thoroughly established throughout the Provinces, but We shall think our Labors amply recompensed if they meet with your Approbation, and are productive of the good Effects we had in view

(Forrest, *Selections from the State Papers of Hastings*, ii Appendix A)

42 The New System of Jurisdiction and its Relation to the Old

Letter from the Committee of Circuit to the Council at Fort William, dated Kasimbazar, August 15, 1772

In the Copy of our Proceedings, which accompanied our Letter of the 28 ultimo, we intimated our Intention of communicating to you our Sentiments upon the Subject of the Magistracy of this Province

For the Information of our honourable Employers, it may be necessary to premise that in forming the enclosed Plan, we have confined ourselves with a scrupulous Exactness to the constitutional Terms of Judicature already established in this Province, which are not only such as we think in themselves best calculated for expediting the Course of Justice, but such as are best adapted to the Understandings of the People

The general Principles of all despotic Governments, that every Degree of Power shall be simple and undivided, seems necessarily to have introduced itself into the Courts of Justice, this will appear from a Review of the different Officers of Justice instituted in these Provinces, which, however unwilling we are to engross your Time with such Details, we deem necessary on this Occasion, in Proof of the above Assertions, and in Justification of the Regulations which we have recommended

First.—The *Nazim*,[1] as supreme Magistrate, presides personally in the Trials of capital Offenders, and holds a Court every *Sunday*, called the *Roz Adalat*.

Second.—The *Diwan* is the supposed Magistrate for the Decision of such Causes as relate to real Estates, or Property in Land, but seldom exercises this Authority in Person.

Third.—The *Darogo Adalat ul Alea* is properly the Deputy of the *Nazim*; he is the Judge of all Matters of Property, excepting Claims of Land and Inheritance; he also takes Cognizance of Quarrels, Frays, and Abusive Names.

Fourth.—The *Darogo Adalat Diwani*, or Deputy of the *Diwan*, is the Judge of Property in Land.

Fifth.—The *Faujdar* is the Officer of the Police, the Judge of all Crimes not Capital; the Proofs of these last are taken before him, and reported to the Nazim for his Judgment, and Sentence upon them.

Sixth.—The *Kazi* is the Judge of all Claims of Inheritance or Succession; he also performs the Ceremonies of Weddings, Circumcision, and Funerals.

Seventh.—The *Motesib* has Cognizance of Drunkenness, and of the Vending of Spirituous Liquors and intoxicating Drugs, and the Examination of False Weights and Measures.

Eighth.—The *Mufti* is the Expounder of the Law.

Memorandum.—The *Kazi* is assisted by the *Mufti* and *Motesib* in his Court. After hearing the Parties and Evidences, the *Mufti* writes the *Fetua* or the Law applicable to the Case in Question, and the *Kazi* pronounces Judgment accordingly. If either the *Kazi* or *Motesib* disapprove of the *Fetua*, the Cause is referred to the *Nazim*, who summons the General Assembly, consisting of the *Kazi*, *Mufti*, *Motesib*, the *Darogos* of the *Adalat*, the *Maulvis*, and all the learned in the Law, to meet and decide upon it. Their Decision is final.

From this List it will appear that there are properly Three Courts for the Decision of Civil Causes and One for the Police and Criminal Matters, the authority of the *Motesib* in the latter being too confined to be considered as an Exception. Yet, as all defective Institutions soon degenerate, by Use, into that Form to which they are inclined, by the unequal Prevalence of their component Parts, so these Courts are never known to adhere to their prescribed Rounds, but when restrained by the Vigilance of a wiser Ruler than commonly falls to the Lot of despotic States, at all other Times, not

[1] *I.e.* the Nawab.

only the Civil Courts encroach on each other's Authority, but both Civil and Criminal often take Cognizance of the same Subjects; or their Power gradually becomes weak and obsolete, through their own Abuses, and the Usurpations of Influence At present, from obvious Causes, the *Diwani Adalat* is in Effect the only Tribunal The *Adalat ul Alea*, or the Court of the *Nazim*, existing only in Name

Another great and capital Defect in these Courts is, the Want of a Substitute or subordinate Jurisdiction, for the Distribution of Justice in such Parts of the Province as lie out of their Reach, which in Effect confines their Operations to a Circle, extending but a very small Distance beyond the Bounds of the City of Murshidabad It is true that the Courts of *Adalat* are open to the Complaints of all Men, yet, it is only the rich, or the vagabond part of the People, who can afford to travel so far for Justice, and if the industrious Labourer is called from the farthest Part of the Province to answer their Complaints, and wait the tedious Process of the Courts the Consequences in many Cases will be more ruinous and oppressive than an arbitrary Decision could be, if passed against them, without any Law or Process whatever

The Defect is not however left absolutely without a Remedy, the *Zemindars*, Farmers and other Officers of the Revenue, assuming that Power for which no Provision is made by the Laws of the Land, but which, in whatever Manner it is exercised is preferable to a total Anarchy It will however be obvious, that the judicial Authority, lodged in the Hands of Men who gain their Livelihood by the Profits on the Collection of the Revenue, must unavoidably be converted to Sources of private Emolument, and, in Effect, the greatest Oppressions of the Inhabitants owe their origin to this necessary Evil

From this Variety of materials we have endeavoured to form the Plan of a more complete, but more extensive, System of Judicature, by constituting Two Superior Courts at the Capital, the one composed of the United Magistracy of the *Adalat ul Alea*, the *Adalat Diwani*, and the *Kazi* (or *Kazi s* Office) for the Decision of Civil Causes, the other corresponding to the *Faujdari*, for the Trial of Criminal Cases To prevent the Abuse of the Power vested in these Courts, and to give Authority to their Decrees, each, instead of a single Judge, is made to consist of several Members, and their Enquiries are to be conducted under the Inspection and

Sanction of the Supreme Administration To render the Distribution of Justice equal in every Part of the Province, similar, but inferior, Courts are also proposed for each separate District, and accountable to the superior The usurped Power of the Officers of the Collections, and of the Creditor over the Persons of their Debtors, is abolished

It has also been our Aim to render the Access to Justice as easy as possible

By keeping exact Records of all judicial Proceedings, it is hoped that these Institutions, if they receive the Sanction of your Approbation will remain free from the Neglects and Charges to which they would be liable from a less frequent inspection

The same Reasons which have induced us to abolish the *Haldari*,[1] operate with equal Force against the Fees of the *Kazis* and *Muftis* which have always proved a heavy Grievance to the Poor and an Impediment to Marriage We have therefore determined on a total Abolition of these and of the other less Dues hitherto allowed to these Officers and to put them on the Footing of Monthly Servants with fixed Salaries

(Forrest *Selections from the State Papers of* *Hastings*, ii Appendix B)

43 A Summary of the Work of Two Years

To Mr Sykes March 2 1773

Justify me my friend if you hear me blamed for not doing more than I can do Let them look at our proceedings and see what has been done We have fixed councils for four days in the week, and we have often had six I have not missed three since I have been in the country and every moment of my time besides is devoted to the more immediate duties of my station Sundays excepted, and sometimes Saturdays, which I pass in the country, and generally as much involved in papers there as in town

Let me recapitulate the principal points which have taken place (1) The reduction of the Nawab's stipend from thirty-two lacs to sixteen, ordered in December 1771 two months before I arrived in the country, and executed in July 1772,

[1] *Haldari*, a fee on marriages the total dues on which amounted to about 6 rupees. The Committee of Circuit had recommended its abolition as an unfair burden on the people the Indian officers who drew these fees were to be compensated by fixed salaries paid by Government

without any loss from so long a suspension (2) The reduction of the expenses from about 29 lacs to 13 2 yearly, and fixed at that sum (3) The removal of Mahomed Reza Khan from the *Naibat*[1] and *Diwani* (4) The establishment of the Nawab's household, the appointment of the Mani Begum[2] to the management, and Gurdas to the *Diwani* of the Nizamat[3] (5) The plan and execution of a new settlement of the lands on leases of five years (6) The plan and establishment of the new courts of justice, consisting of two superior courts at Calcutta, the one for the causes of property appealed, the other for criminal cases and similar dependent courts in every district (7) The removal of the *Khalsa*[4] from Murshidabad to Calcutta, the institution of a new council of revenue, and many other dependent arrangements (8) A reformation of expenses and an inspection into all the offices of Government, begun but not completed for want of time (9) Improvements in the police of Calcutta (10) Changes in the military establishment, and regulations for the internal defence of the country These are all I now recollect of the general regulations Others of inferior concern, and the multitude of auxiliary institutions required to give effect to the great ones, I cannot enumerate I will only add that by the translation of the *Khalsa* to Calcutta by the exercise of the *Diwani* without an intermediate agent by the present establishment and superintendency of the Nawab's household, and by the establishment of the new courts of justice under the control of our own government, the authority of the Company is fixed in this country without any possibility of a competition, and beyond the power of any but themselves to shake it The Nawab is a mere name, and the seat of government most effectually and visibly transferred from Murshidabad to Calcutta which I do not despair of seeing the first city in Asia, if I live and am supported but a few years longer At the same time the suspension of the King's[5] tribute (which was a fatal drain to the currency of this country), the stoppage of Mahomed Reza Khan's and Shitab Rai's allowances, and the reduction of the Nawab's stipend, amount alone to an annual saving of fifty seven lacs of rupees,[6] and whenever we shall have our official reforms, now under charge

[1] *I.e.* Deputyship to the Nawab

[2] Grandmother of the Nawab, who was a minor

[3] Financial management of the judicial system Gurdas was the son of Nuncomar, the rival of Mahomed Reza Khan

[4] Treasury. [5] *I.e* the Mogul's [6] £570 000

of the council of inspection, I make no doubt that a considerable retrenchment (which has already in part taken place) will be still effected

On the other hand, the collections have suffered, though not greatly, by the effects of the famine When I look back on what I have done, I sometimes exult in the thought of having merited the applause of my employers I oftener dread censure from misrepresentation, from misconstructions, from the disappointment of the expectations of the Court of Directors on points of trivial consequence or impracticable in their execution, and more from their inability to read and inform themselves properly of what has been done

(In confidence let me add that if I was to lose my government to day, I should leave it a poorer man than when I assumed it)

(Gleig i 384)

44 The Defects of the Collectors

To Josias Dupré January 6 1773

Who was it said that he had given such laws to his people as they were capable of receiving not the best that could be framed? On a similar principle we have suffered one capital defect to remain in our constitution I mean the collectors Do not laugh at the formality with which we have made a law to change their name from *supervisors* to *collectors* You know full well how much the world's opinion is governed by names They were originally what the word *supervisor* imports simple *lookers on* without trust or authority [1] They became *collectors* and ceased to be *lookers on* but though this change had taken place two years before I arrived [2] yet I found, to my astonishment that they were known to the Court of Directors only in their original character It was necessary to undeceive the Company and to that end we have called these officers by a title which will convey the true idea of the nature of their office It was once intended to withdraw the collectors entirely They monopolise the trade of the country, and of course prevent the return of specie by trade since they trade with the amount of their perquisites These perquisites I believe to be an oppression on the people and an obstruction of the revenue They are most of them the agents of their own *banyans* and they are devils

[1] See No 34

[2] In 1770

But whatever motives we have for recalling these officers, it appeared that there were amongst them so many sons, cousins, or élèves of directors, and intimates of the members of the Council, that it was better to let them remain than to provoke an army of opponents against every act of administration, by depriving them of their emoluments They continue, but their power is retrenched, and the way is paved for their gradual removal, and the Court of Directors have sufficient arguments furnished them to order their recall immediately

(Gleig i 268)

45 Further Revenue Reforms

Hastings to Laurence Sulivan March 10, 1774

In consequence of the commands of the Court of Directors, in their letter of the 7th of April last, for withdrawing the collectors from the country, and substituting some other plan for the temporary management of the collections it was determined, after many meetings and deliberations held by the Board upon this subject that a plan should be formed and recommended for the future regulation of the revenue, at the same time that the temporary one directed by the general letter was immediately resolved on The scheme of the first is briefly this to collect the revenues in the districts by the agency of *diwans*,[1] who shall be subject to the orders of a committee or inferior council of revenue, resident at the Presidency [2] and this to the general control of the Superior Council

I own it was with regret that I found myself compelled to leave this plan in speculation, and to join with the Board in forming a temporary arrangement, which approaches too near in its principles to the authority exercised by the collectors to render it eligible as a permanent institution But it was unavoidable We were precluded from making any other than a temporary plan nor indeed would it have been advisable to have attempted the immediate execution of that which had been proposed

It was therefore agreed that the provinces should be formed into six grand divisions, including the province of Behar as one, and each be placed under the charge of a chief and council, with similar powers to those which the collectors singly

[1] *I e* Indian treasury officers. [2] *I e* at Calcutta

possessed in the smaller districts To prevent the abuse which might be made of this authority, the members of the Superior Council, from whom the chiefs are selected, have been totally interdicted from trade, and the other members of the Provincial Councils in such articles of it as are most likely to prove oppressive to the country As an incitement to the members of the Superior Council to check any licentious exercise of the influence enjoyed by the inferior members as an indemnification for their own forbearance, and a pledge for their faithful observance of it, it has been proposed that they shall be allowed each a monthly gratuity of 3000 rupees, out of a fund raised for that purpose by the profits arising from the sale of opium which in consequence of a report made by me to the Board of the state of the opium trade in the province of Behar has been made a property of the Company This in effect is only a transfer of the private emoluments formerly derived from this article of trade by the factory at Patna from them to the members of the administration

I express with the more confidence my sentiments upon this occasion as I have totally excluded myself from a participation in the benefits of it

As the institution of provincial councils for the administration of the affairs of the revenue has often been talked of as a useful expedient, I am afraid it will have many advocates both here and at home For my own part I esteem it as a temporary expedient both useful and necessary as I have declared already but as a fixed and established regulation, I am apprehensive that it will be attended with consequences oppressive to the inhabitants prejudicial to the revenue and ruinous to the trade of the country

I have always considered the collectors as tyrants because the local advantages they possessed added to the timidity and patience of oppression which characterizes the natives of Bengal made it difficult for the Council to restrain them effectually, especially as the same interest by which those offices were acquired would be always employed more or less to protect them Yet there lay an appeal to their superiors, nor was it in the power of their patrons to defend them in cases of notorious enormity But if instead of junior servants, the members of the Board are themselves to be collectors, these can be under no restraint Their judges in all complaints against them will be composed of their equals and expectants

of the same privileges The president, whose more especial care it will be to hear and redress the wrongs of the people, will be a common object of hatred and jealousy to the rest of the Council, because he will not participate in their common interests, so that this system would be liable not only to the worst species of despotism in the inferior members of the government, but to cause also a total anarchy at the head

After all I must return to my original opinion, that the members of the Board be confined wholly and indispensably to the Presidency[1] Nothing can so effectually strengthen the government, or secure the property of the inhabitants from violence and the trade of the country from monopoly But they must be allowed a compensation for the restriction, and a liberal one, such as will be binding on their integrity They must be wholly interdicted, as they now are from trade and bind themselves by solemn engagements both to refrain from it themselves, and to prevent, to the utmost of their power, the oppressive dealings of others Here the administration of a rich and extensive kingdom is in the hands of a few, and the whole wealth of it at their disposal The distance of the supreme power on which it depends the servile habits and characters of the people and the nature of landed property, which by the constitution is solely vested in the government, throw so vast a trust into the hands of the members of the Council, as requires adequate profits and incitements for the just discharge of it, or in default of such a provision they will act as men ever do in such cases and carve for themselves

(Gleig i 382)

16 Trade Reforms

(The reforms described below probably contributed as much to the prosperity of Bengal as the more impressive land revenue and judicial changes The imposition of a single customs duty of 2½ per cent from which the Company's own goods were not exempt, and the abolition of the much-abused *dastaks* (see Nos 17 21 above), restored to the native traders an equality with the English, while the new method of providing the "investment" for export to Europe was an unspeakable boon to the unhappy weavers, whose distresses under the earlier system were described in No 32)

To Sir George Colebrooke, April 3, 1773

The plan of customs which I sent you with my last despatches has been since completed, and a Board of Customs

[1] *I.e.* at Calcutta.

formed to superintend it It is simple the expense reduced, all the inferior *chaukhis*[1] withdrawn, and the goods, after one payment, free to go wherever the owners please without molestation The *dastak*[2] will be abolished the 12th of this month, which will put an end to that distinction, which seems to have been the chief cause of oppression to the unprotected traders I venture to pronounce it a good regulation, and the first effectual step to that free trade which I know you have much at heart

I am busy in collecting materials for another innovation from which I promise myself equal success in promoting the same It is to withdraw all our *gomastas*[3] and to provide the investment either by *Dadni* or ready money purchases, to declare the weavers free to take advances from whom they please, and to support them in this privilege Your investment will be dearer, and perhaps inferior in quality the first year, but it will greatly multiply the number of manufacturers and increase the trade of Bengal Bengal is capable of supplying the markets, both of Europe and Asia, with its manufactures, if these are duly encouraged and as it wants none of the superfluities of life and amply abounds in all the necessaries of it, it may receive a yearly flow of specie from this source to supply the drains which have been of late years too lavishly made of its treasure without the least provision made or thought of for replacing it

(Gleig i 307)

17 Hastings' Foreign Policy

(The following passage though written at a later date, is inserted here as illustrating Hastings' far seeing conceptions in regard to the relations that might be established between the Company and the native states—conceptions which underlay his negotiations with Oudh in 1773)

To Alexander Elliot,[4] *January* 12 1777

You are already well acquainted with the general system which I wish to be empowered to establish in India, namely, to extend the influence of the British nation to every part of India not too remote from their possessions without enlarging the circle of their defence or involving them in hazardous or indefinite engagements and to accept of the allegiance of such of our neighbours as shall sue to be enlisted among the friends and allies of the King of Great Britain The late

[1] Customs offices [2] Free pass [3] Agents see above, No. 32.
[4] Brother of the future Lord Minto Governor General, 1807-13.

Nawab Shuja-uddaula,[1] who wanted neither pride nor understanding, would have thought it an honour to be called the Vizier of the King of England, and offered at one time to coin *siccas* in His Majesty's name On this footing I would replace the *subaship* of Oudh On this footing I would establish an alliance with Berar These countries are of more importance to us than any others from their contiguity to ours, and therefore it is of consequence to settle their connexion with us before that of any other But the same system might be rendered more extensive by time, and the observance of a steady principle of conduct and an invariable attachment to formal engagements (Gleig ii 136)

18 Relations with Oudh and the Mogul

To Laurence Sulivan, October 12, 1773

The loose manner in which our concerns with the Vizier[2] were conducted, and the great expense which attended every movement of our army for his service first suggested the expediency of an interview with him for the purpose of adjusting these and other points which might furnish occasion for future discussion A new subject presented itself, The Rohilla chiefs when attacked by the Mahrattas made an offer of forty lacs of rupees to the Vizier of which he promised to give half to the Company, for his assistance and engaged themselves to pay it by a solemn treaty We have delivered them from the Mahrattas and the Rohillas have paid nothing The Vizier, judging this a fair occasion to go to war with them, applied to us for our assistance engaging to pay fifty lacs of rupees besides the extra charges of the army whenever their country should be reduced The correspondence upon this subject introduced the proposal of a meeting between us The Board approved of it and Benares was the place appointed for it I accordingly set out on the 24th of June with instructions and full powers from the Board, and arrived at Benares the 19th of August, where I found the Vizier I had written repeatedly and pressingly to the King[3] to request that he would send a person with full powers to treat on his affairs He did not, but referred me to the Vizier and Munir-uddaula,

[1] Of Oudh.

[2] The Nawab of Oudh who had held the title of Vizier of the Mogul since 1761

[3] The Mogul.

whom he instructed to demand the arrears of his tribute from Bengal, regular monthly payments for the future, and the restitution of Kora and Allahabad to his *Naib* Monir-uddaula.

Before I proceed I must describe the situation of the Rohilla country which the Vizier proposed to reduce It lies open on the south It is bounded on the west by the Ganges, and on the north and east by the mountains of Tartary.[1] It is to the province of Oudh, in respect both to its geographical and political relations, exactly what Scotland was to England before the reign of Queen Elizabeth

The reduction of this territory would have completed the defensive line of the Vizier s dominions, and of course left us less to defend, as he subsists on our strength entirely It would have added much to his income, in which we should have had our share

I agreed to assist him in this project on condition of his paying the Company an acknowledgment of forty lacs of rupees, and the whole expense of our troops employed by him, computed at 210 000 rupees for a brigade

As the King had forfeited his right to Kora and Allahabad, by giving them to the Mahrattas as he was confessedly unable to keep them by his own strength, and we could not afford to maintain them any longer for him, and as he had declined to send any person to the conference, and thus left me unprovided with the means of concerting any plan in which his interests might be included, I agreed to restore this country to the Vizier on condition of his paying to the Company forty-five lacs of rupees

Things were thus adjusted when the Vizier, fearing that he had engaged beyond his ability, desired to decline the Rohilla expedition, to which I readily agreed,[2] but as he would have less to pay and less to lay out, the acknowledgment for Kora, etc was increased to fifty lacs, payable twenty in ready money, fifteen in one year, and fifteen in two from the date of the treaty, and the payment for the monthly charge of our forces employed in his service still stands an article in the treaty fixed at 210,000 rupees

This, Sir, I consider as a point gained of great importance, it will prevent the wanton requisition of our aid on every frivolous occasion, and when they are employed, instead of proving an addition of expense, it will prove a reduction of

[1] The *Himalayas.*

[2] The expedition was subsequently carried out early in 1774.

one-third of our whole military expense during the time of their service.

I was glad to be freed from the Rohilla expedition because I was doubtful of the judgment which would have been passed upon it at home, where I see too much stress laid upon general maxims and too little attention given to the circumstances which require an exception to be made from them

As I see no use in excuses or evasions, which all the world can see through, I replied to a peremptory demand of the King for the tribute of Bengal by a peremptory declaration that not a rupee should pass through the province till they had recovered from the distresses to which the lavish payments made to him had principally contributed

You have already received my sentiments concerning the injustice of this tribute even while he remained with us His desertion of us, and union with our enemies, leaves us without a pretence to throw away more of the Company's property upon him, especially while the claims of our own Sovereign[1] are withheld for it Yet he has his advocates, both here and at home, who consider this treatment of him in the most criminal light (Gleig i 356)

49 Reasons for the Rohilla War

To Colonel Champion, May 28, 1774.

The Rohilla expedition was on our part undertaken not merely on account of the pecuniary acquisition of forty lacs of rupees to the Company, for although this might be an accessory argument, it was by no means the chief object of the undertaking We engaged to assist the Vizier in reducing the Rohilla country under his dominion, that the boundary of his possessions might be completed, by the Ganges forming a barrier to cover them from the attacks and insults to which they were exposed, by his enemies either possessing or having access to the Rohilla country This our alliance with him, and the necessity for maintaining this alliance, so long as he or his successors shall deserve our protection, was rendered advantageous to the Company's interest, because the security of his possessions from invasion in that quarter is in fact the security of ours . (Gleig i 433)

[1] Under the Act of 1767 (No. 29); this payment had been suspended in view of the state of the Company's finances.

Period II

CONFLICT WITH THE COUNCIL, 1774-76

While Hastings was labouring to reform the administration of Bengal, the disorganisation of the Company's affairs had at last aroused the attention of Parliament Committees of the House of Commons minutely investigated the question, and the outcome was Lord North's Regulating Act (No 50). This Act represents the first assumption of control over East Indian affairs by the British Government It was a well-meant attempt to introduce a better system of government, but being designed in ignorance of the real nature of the problem it was a total failure, and only added to Hastings' difficulties instead of strengthening his hands It (i) revised the constitution of the Courts of Directors and Proprietors of the Company in England (§§ 1-6), (ii) set up in Bengal a Governor-General with a Council of four, each having equal voting powers with the Governor-General except in case of a tie (§§ 7-8), (iii) gave control to the Governor-General and Council of Bengal over the other Presidencies so far as concerned wars and treaties, with certain modifications (§ 9), (iv) established a Supreme Court of Judicature at Calcutta, which was to be independent of the Governor-General and Council, was to consist of four English judges, and was to administer English (not Indian) law to all "British subjects," whether British or native, who applied to it for redress (§§ 13-17), with an appeal to the Privy Council (§ 18), (v) fixed large salaries for the Governor-General, the Council, and the judges, at the same time forbidding them to engage in trade or receive presents (§§ 21-23), (vi) forbade the receipt of presents to all the subordinate officers of the Company, forbade all private trade to Collectors and judicial officers, and trade in certain specified articles to other servants, and required licence to be given for trade in other articles (§§ 24-31), (vii.) provided penalties for breach of trust and misconduct by the Company's

servants, and methods of prosecuting them in England (§§ 39-41); and (viii.) required information regarding the revenues and government of Bengal to be communicated from time to time to the British government (§ 9) As yet, however, the British government assumed no power of direct intervention in Indian affairs, that was not to come till 1784

The chief defects of this new system were (i) the unworkable relations which it established between the Governor-General and his Council, (ii) the absence of any definition of the relations between the new Supreme Court, administering English law, and the system of jurisdiction already existing in Bengal, (iii) the defective authority of the Governor-General and Council over the other Presidencies In all these respects the system broke down completely during the next ten years

Of the new Council, three, Clavering, Monson, and Francis, were sent out from England They had little or no knowledge of Indian affairs They came out with their minds made up that Hastings was a wicked tyrant, to be opposed at every point, and as they had a majority, they were able to work their will Their intentions were made clear from the moment of their landing in Calcutta They violently condemned the Rohilla War They recalled Hastings' agent from Oudh, and replaced him with a creature of their own When the Nawab of Oudh died, in 1775, they forced his successor, in spite of Hastings' opposition, to accept a very unfavourable new arrangement, whereby he paid an increased subsidy for the use of British troops, ceded the rich district of Benares to the Company, and was compelled to yield practically the whole treasury of the State, as well as very extensive lands, to the widow and mother of the late Nawab, the famous Begums of Oudh. The result was that Oudh was reduced to a state of bankruptcy, and was in no position to defend itself in the event of a Mahratta attack They made the gravest blunders, disregarding Hastings' advice, in dealing with the Mahrattas. They undid much of Hastings' work of the last two years in the internal organisation of Bengal, in particular restoring

Mahomed Reza Khan and the old Dual System, and rendering the new law-courts ineffective They invited accusations against the Governor-General, and insisted upon hearing them in the Council itself, Hastings could only leave the chair, but the campaign was continued in his absence The chief accuser was the Raja Nuncomar, formerly a servant of Mir Jafar, who had hoped to succeed Mahomed Reza Khan, and could not forgive Hastings for his disappointment Nuncomar's accusations were demonstrably false, but his witnesses were not even put on oath While this persecution was at its height, an Indian suitor who had been defrauded by a deed forged by Nuncomar, and had begun a suit against him in the Mayor's Court at Calcutta before the new Council came out, got his case tried in the Supreme Court before the four judges Nuncomar was found guilty, and in accordance with English law was sentenced to death His death put an end to the worst troubles of Hastings In the Impeachment it was charged against Hastings that he was responsible for the action being brought against Nuncomar, and even Macaulay has asserted that the Chief Justice of the Supreme Court, Sir Elijah Impey, perpetrated what was tantamount to a judicial murder in order to get his friend out of a difficulty Both of these charges are supported by no evidence whatever In regard to the second, Impey was not alone, all four judges sat together So far was even the Council from taking this view at the time, that when Nuncomar petitioned for their protection, his petition was, on the motion of Philip Francis, publicly burnt as that of a convicted forger It was this same Francis who was later responsible for bringing this monstrous charge against Hastings

These futile and contemptible disputes have occupied far too much attention in most accounts of Hastings' work It has not been thought necessary to occupy space with any of the voluminous documents bearing upon them. We print only a letter of Hastings (No 51) showing the distress which they caused him, especially because of the interruption to the work of reconstruction which they involved, and a bitter

summary of the overthrow of his constructive work of the previous years (No. 52) Yet, overridden and insulted as he was, Hastings persevered with marvellous patience in working for the good of Bengal He alone kept the machinery of government at work, and the hostile majority, ignorant of Indian problems and singly occupied with the attack upon their nominal chief, were glad to leave all the actual work in his hands. And, as Nos 53, 54 show, even at this bitter time Hastings' brain was at work on new schemes

50 North's Regulating Act, 1773

(23 George III Cap lxiii)

(The very voluminous verbiage of the Act has been cut down, but no point of importance has been omitted. The clauses have been numbered for convenience of reference)

An Act for establishing certain Regulations for the better Management of the Affairs of the East India Company, as well in India as in Europe.

Whereas the Powers granted by Charters to the United Company of Merchants of England trading to the East Indies have been found by Experience not to have sufficient force and efficacy to prevent various abuses which have prevailed in the government and administration of the affairs of the Company, as well at home as in India, and it is therefore become highly expedient that certain further regulations, better adapted to their present circumstances and condition, should be provided and established be it enacted by the King's most excellent Majesty, by and with the advice and consent of the Lords spiritual and temporal, and Commons in this present Parliament assembled, and by the authority of the same —

(1) [That in place of the annual election of the whole twenty-four directors, six shall be elected annually, to hold office for four years]

(2) That no person employed in any civil or military capacity in the East Indies shall be capable of being appointed director, until such person shall have returned to and been resident in England for the space of two years

(3) [Fraudulent transfers of stock for voting purposes forbidden with severe penalties ,] and that no proprietor shall be deemed qualified to vote in respect of any stock amounting to less than one thousand pounds

(4) Provided always, that every proprietor who shall be possessed in his or her own right, of three thousand pounds capital stock of the said Company, shall be entitled to give two votes, and every proprietor who shall be possessed of six thousand pounds, three votes, and every proprietor who shall be possessed of ten thousand pounds, or more, four votes

(7) That, for the government of the presidency of Fort William in Bengal, there shall be appointed a Governor-General, and four counsellors, and that the whole civil and military government of the said presidency, and also the government of all the territorial acquisitions and revenues in the kingdoms of Bengal, Behar, and Orissa, shall, during such time as the territorial acquisitions shall remain in the possession of the Company, be vested in the Governor-General and Council of the presidency of Fort William in Bengal

(8) That in all cases wherein any difference of opinion shall arise the said Governor-General and Council shall be bound by the decision of the major part of those present And if it shall happen that such Governor-General and Council shall be equally divided, then the Governor-General, or in his absence, the eldest counsellor present, shall have a casting voice, and his opinion shall be decisive

(9) That the Governor-General and Council shall have power of superintending and controlling the government and management of the presidencies of Madras, Bombay, and Bencoolen respectively, so far that it shall not be lawful for any president and council of Madras, Bombay, or Bencoolen, to make any orders for declaring or making war against any Indian princes or powers, or for negotiating or concluding any treaty with any such Indian princes or powers, without the consent and approbation of the Governor-General and Council except in such cases of imminent necessity as would render it dangerous to postpone such hostilities or treaties until the orders from the Governor-General and Council might arrive, and except in such cases where the presidents and councils shall have received special orders from the Company, and any president and council of Madras, Bombay, and Bencoolen, are required to pay due obedience to such orders as they shall receive touching the premises from the Governor-General and Council and constantly and diligently to transmit to the Governor-General and Council advice and intelligence of all matters that shall come to their knowledge, relating to the government, revenues,

or interest of the Company; and the Governor-General and Council are required to pay due obedience to all such orders as they shall receive from the Court of Directors, and constantly to transmit to the said Court an exact particular of all matters that shall come to their knowledge, relating to the government, commerce, revenues, or interest of the Company; and the Court of Directors of the Company are required before the expiration of fourteen days after receiving any such letters or advices, to give in and deliver unto the High Treasurer, or Commissioners of his Majesty's Treasury for the time being, a true and exact copy of such parts of the said letters or advices as shall any way relate to the management of the revenues of the Company, and in like manner to give in and deliver to one of his Majesty's principal Secretaries of State, a true and exact copy of all such parts of the said letters or advices as shall any way relate to the civil and military affairs and government of the said Company

(10) That Warren Hastings Esquire shall be the first Governor-General and that Lieutenant-General John Clavering, the Honourable George Monson, Richard Barwell Esquire, and Philip Francis Esquire, shall be the four first counsellors, and they shall hold their respective offices for the term of five years from the time of their arrival at Fort William in Bengal, and shall not be removeable, in the meantime, except by His Majesty, upon representation made by the Court of Directors of the Company. And in case of the avoidance of the office of such Governor-General by death, resignation, or removal, his place shall, during the remainder of the term aforesaid, be supplied by the person of the Council who stands next in rank to such Governor-General

(12) Provided always, that nothing in this Act shall prevent the Company from appointing such officers, factors, or agents, as they shall think proper and necessary for managing the trade and commerce of the Company

(13) That it shall be lawful for His Majesty to establish a Supreme Court of Judicature at Fort William, to consist of a Chief Justice and three other judges, being barristers in England or Ireland, of not less than five years' standing, to be named by His Majesty which said Supreme Court of Judicature shall have full power and authority to exercise all civil, criminal, admiralty, and ecclesiastical jurisdiction, and to appoint such officers of the court, with such reasonable salaries, as shall be approved of by the Governor-General and Council;

and to establish such rules of practice as shall be found necessary for the administration of justice, and also shall be at all times a court of record, and a court of *Oyer and Terminer* and Gaol Delivery, in and for the said town of Calcutta and factory of Fort William in Bengal aforesaid, and the limits thereof, and the factories subordinate thereto

(14) Provided that the jurisdiction shall extend to all British subjects who shall reside in the kingdoms or provinces of Bengal, Behar, and Orissa and the Supreme Court of Judicature shall have full power and authority to hear and determine all complaints against any of His Majesty's subjects for any crimes, misdemeanours, or oppressions, and also to entertain suits or actions against any of His Majesty's subjects in Bengal, Behar, and Orissa and any suit, action, or complaint, against any person employed by, or directly or indirectly in the service of the Company or any of His Majesty's subjects

(15) Provided also, That the Court shall not be competent to try any indictment or information against the Governor-General, or any of the Council, for any offence (not being treason or felony) which they may be charged with having committed in Bengal, Behar, and Orissa

(17) That nothing in this act shall extend to subject the person of the Governor General or of any of the Council or Chief Justice and judges to be arrested or imprisoned upon any action, suit, or proceeding, in the said Court

(18) That any person aggrieved by any judgment of the Supreme Court of Judicature may appeal from such judgment to His Majesty in council

(21) That during such time as the territorial acquisitions shall remain in the possession of the Company, the Court of Directors of the Company shall cause to be paid certain and established salaries to the Governor General and to each of the council of the Company's Presidency of Fort William in Bengal, and to the Chief Justice and each of the judges of the Supreme Court of Judicature at Fort William, (that is to say), To the Governor-General £25,000 by the year, and to each of the council £10,000 by the year, and to the Chief Justice £8000 by the year, and to each of the judges £6000 by the year.

(22) That no fees of office, perquisites, emoluments, or advantages whatsoever, shall be received by the Governor-General and Council, or by the Chief Justice and judges, on any pretence whatsoever, other than such salaries and allowances as are in and by this act directed to be paid to them.

(23) That no Governor-General or any of the Council, or any Chief Justice, or any of the judges shall, directly or indirectly, by themselves, or by any other person or persons, accept, from any person on any account whatsoever, any present or reward, pecuniary or otherwise, or any engagement for any present or reward, or shall be concerned in traffic or commerce of any kind whatsoever, (the trade and commerce of the Company only excepted)

(24) That no person holding any civil or military office under the Crown or the Company in the East Indies, shall accept, directly or indirectly, by himself, or any other person or persons on his behalf, from any of the Indian princes or powers, or their ministers or agents, (or any of the natives of Asia) any present or reward, pecuniary or otherwise, upon any pretence whatsoever, or any engagement for any present or reward, And any person guilty of any such offence, shall forfeit double the value of such present, or reward, one moiety of which forfeiture shall be to the Company, and the other moiety to him or them who shall inform or prosecute for the same, and also may be sent to England, by the order of the Governor and Council

(26) That every such present or reward, and all such dealing by way of commerce, shall be deemed and construed to have been received, and done, for the sole use of the Company, and that the Company may sue for the recovery of the full value of such present or gift, or the profits of such trade, together with interest, at the rate of £5 *per centum* per annum

(27) That it shall not be lawful for any collector, supervisor, or any other of His Majesty's subjects, employed in the administration of justice, or their agents or servants, to buy any goods by way of trade, at any place within the provinces of Bengal, Behar, and Orissa, and to sell the same again, and it shall not be lawful for any of His Majesty's subjects in the said provinces to engage, directly or indirectly, in the inland trade in salt, betel-nut, tobacco, or rice, except on the account of the Company, on pain of forfeiting all such goods, and treble the value thereof, one moiety to the Company, and the other moiety to him who will sue for the same, in the Supreme Court, and every such person, on conviction, shall, moreover, be liable to be sent to England

(29) Provided, That nothing herein contained shall prevent any person who is hereby restrained from carrying on trade, from collecting in their outstanding debts, or from disposing

of the goods, of which such person shall be possessed, within the space of nine months after such restriction shall commence.

(30) That no subject of His Majesty, in the East Indies, shall take for loan of any monies, merchandise or other commodities above the value of £12 per cent, and that all bonds for payment of any money to be lent whereby there shall be taken above the rate of £12 per cent, shall be utterly void

(32) That it shall not be lawful for any person who shall have been dismissed from, or shall have voluntarily resigned, the service of the Company, or for any free merchant or other person, from thenceforth to carry on any trade in the East Indies without the licence of the Company

(33) That if any of His Majesty's subjects in India, in the service of the Company, shall be charged with any breach of public trust, or for defrauding the Company, every such offender being convicted thereof in the Supreme Court of Judicature, may be fined and imprisoned, and adjudged to be for ever after incapable of serving the Company, and may be sent over to England

(34) That all offences and misdemeanours which shall be tried in the Supreme Court, shall be tried by a jury of British subjects resident in the town of Calcutta

(36) That it shall be lawful for the Governor-General and Council to make such rules, ordinances, and regulations, for the good order and civil government of the Company's settlement at Fort William, and other factories and places subordinate, as shall be deemed just and reasonable, (such rules, ordinances, and regulations not being repugnant to the laws of the realm), and to impose reasonable fines and forfeitures for the breach or non-observance of such rules, but nevertheless they shall not be valid until they shall be duly registered and published in the Supreme Court of Judicature with the consent and approbation of the Court, but it shall be lawful for any person or persons in India to appeal therefrom to His Majesty in Council, who are hereby empowered to set aside any such rules

(37) Provided always, That the Governor-General and Council shall transmit copies of all such rules to one of His Majesty's principal Secretaries of state, and that it shall be lawful for His Majesty to signify to the Company his disapprobation of all such rules

(38) That the Governor-General and Council and the Chief Justice and other Judges of the Supreme Court of Judicature, shall have power to act as justices of the peace for the said settlement, and for the several settlements and factories subordinate thereto

(39) That if any Governor-General, or any other persons who are or have been employed in the service of the Company, in any capacity, shall commit any offence against this act, or shall be guilty of any crime, misdemeanour, or offence against any of His Majesty's subjects, or any of the inhabitants of India, all such crimes, offences, and misdemeanours, may be tried in His Majesty's Court of King's Bench

(40) That in all cases of indictments laid in the Court of King's Bench, for offences committed in India, it shall be lawful for His Majesty's said Court to award writs of *mandamus*, requiring the Chief Justice and judges of the Supreme Court of Judicature, or the judges of the Mayor's Court at Madras, Bombay, or Bencoolen, to hold a Court, for the examination of witnesses, and receiving other proofs concerning the matters charged in such indictments

(41) That in case the Chief Justice or judges of the Supreme Court of Judicature shall commit any offence against this act, or be guilty of any corrupt practice, or other offence in the execution of their respective offices, it shall be lawful for His Majesty's Court of King's Bench to award writs of *mandamus*, requiring the Governor-General and council to cause proceedings to be made concerning the examination of witnesses

(42) That in all cases of proceedings in Parliament, touching any offence against this act, or any other offences committed in India, it shall be lawful for the Lord High Chancellor, and also for the Speaker of the House of Commons to issue his or their warrants to the Governor-General and council, and to the Chief Justice and judges for the examination of witnesses, and such examination shall be returned to the said Lord High Chancellor, or to the Speaker of the House of Commons

(43) That no proceedings in Parliament touching any offence committed in India, wherein such warrant as aforesaid shall have been issued, shall be discontinued by any prorogation or dissolution of the Parliament . .

51 Hastings' Struggle with his Council

To John Graham, March 25, 1775

The violation of the engagements of the former government with the Nawab Shuja-uddaula,[1] with the other correspondent acts of frenzy which began their administration, and the total stagnation of business during the last six months, except the very little which they have allowed me to do myself at the Revenue Board, are neither removed nor amended by any transactions of mine in the year 1772 I solemnly declare that I do not recollect a single act of theirs which was capable of producing any useful purpose and scarce one independent of me of which I was not the real object I think our rulers at home have too much understanding to be the dupes of their malice, or to trust the management of this valuable country to men whose behaviour has been marked with so much design, ill temper, and ignorance

The resolution taken by me to dissolve the meetings of the Board (or rather to declare them dissolved) on the 13th, 14th and 17th of this month,[2] will, I hope, be thought as regular as justified by the occasion I do not recollect an instance of the Council being called or continued, without the President's authority, not even in the contests of Mr Vansittart's Government

Right or wrong, I had no alternative but to do that or throw up the service Indeed I consider this as a case which supersedes all forms Their violence had already carried them to lengths which no rules of the service would allow or justify, nor could I yield without inverting the order of it, and submitting to a degradation to which no power or consideration on earth could have impelled me

I shall continue the practice which I have begun, of dissolving the meetings of the Council, that is of leaving them to themselves, as often as they propose new indignities for me Indeed, I expect to be able to do very little with them, and how the public business is to be conducted I cannot devise

1 "The former government" is Hastings' own government before the arrival of the new Council The engagement with Shuja uddaula is the Treaty of Benares (No 48 above) which the new Council had insisted on revising after Shuja uddaula's death

2 Hastings left the chair and declared the meetings of Council dissolved when the majority insisted upon hearing charges against him. In spite of his withdrawal they persisted in using the Council for purposes for which only the Court of Directors or the Courts of Law would have been proper

The trumpet has been sounded, and the whole host of informers will soon crowd to Calcutta with their complaints and ready depositions Nuncomar holds his *durbar* in complete state, sends for *zemindars* and their *vakils*, coaxing and threatening them for complaints, which no doubt he will get in abundance, besides what he forges himself The system which they have laid down for conducting their affairs is, as I am told, after this manner The General[1] rummages the Consultations[2] for disputable matter Colonel Monson receives, and I have been assured descends to solicit, accusations Francis writes

Was it for this that the Legislature of Great Britain formed the new system of Government for Bengal, and armed it with powers extending to every part of the British empire in India ?

I cannot temporize and after two years of anguish, I will either retain my seat in comfort or I will not keep it I never can be on terms of ease with these men (Gleig i 513)

52 The Destructive Work of the Majority

To Laurence Sulivan, March 21, 1776

The maxims which I laid down for my conduct, and by which it was invariably guided, were these —First, to implant the authority of the Company, and the sovereignty of Great Britain, in the constitution of this country Secondly, to abolish all secret influence, and make the government itself responsible for all measures, by making them all pass by its avowed authority Thirdly, to remove all impediments which prevented the complaints of the people from reaching the ears of the supreme administration or established an independent despotism in its agents Fourthly to relieve the *ryots* from oppressive taxes Fifthly, to introduce a regular system of justice and protection into the country Sixthly, to relieve the distresses of the Company at home you know how great they were , and pay off their heavy debts here, by a uniform and regular mode of collecting their rents, by savings in expenses, and by foreign acquisitions of wealth And lastly, to extend the political influence of the Company without enlarging their territory or dividing their military strength

[1] Clavering
[2] The detailed records of proceedings of the Council.

I need not repeat the means which were used to accomplish these ends The present government has proceeded on principies diametrically opposite to mine First, they have broken all the arrangements which I made in the Nawab's family in 1772, replaced Mahomed Reza Khan, restored the office of Naib Suba, dismissed the Begum from her office . ; publicly proclaimed the Nawab's sovereignty, and disclaimed that of the *Company* Secondly, they have made their own power uncontrolled, and contrived to preclude its operations from public view, by the pretended independency granted to Mahomed Reza Khan Thirdly, they have abolished, or rendered of no effect, all the courts of justice, and avow their intentions of restoring the collectorships Fourthly, they exclaim against me for overcharging the revenue, though I struck off every oppressive article of it, and let the lands on lower terms than the *jamma*[1] of former years, but such only as the lands, under favourable circumstances, might very well bear, allowing for accidents of drought and inundation, which might entitle the farmers to indulgences These indulgences, whenever they could prove their title to them, I always granted The majority allow of none, but while they declare the *ryots* oppressed, refuse to consent to a single remission which might relieve them Sixthly, they have branded the suspension of the King's tribute with the appellation of violation of public faith, they have called the cession of Kora the sale of others' property, they have called the subsidy which I had fixed with the Vizier at 210,000 rupees (and which they had augmented to 260,000 rupees), and the stipulation for the Rohilla war, a mercenary prostitution of the Company's arms for hire, they have paid off a part of the bonded debt with the means furnished by these acts of injustice, and now lay claim to the whole merit of it, though it is impossible for them to produce a single instance in the whole period of their administration of a rupee saved, or a rupee gained, by any measure of theirs except the late acquisition of Benares, obtained at the expense of twice the amount of its yearly revenue, which the Nawab of Oudh owes to the Company, and which he can never pay them The Nawab's[2] finances and resources are totally exhausted His troops are disaffected to a man They have been permitted to oppose his authority in instances of the most criminal disobedience, and the only severity which has been ever exercised towards them

[1] Settlement [2] Of Oudh.

was in the massacre of 20,000 of his sepoys (at least Bristow[1] computes the loss at that amount) who mutinied for their pay. This horrid event passed about a month ago (Gleig ii 30)

53 Schemes of Reform

(In the midst of his conflict with the Council, Hastings still laboured to secure an improvement of the system of government. The hostile majority had practically destroyed his new judicial system. He foresaw that the Supreme Court, established by the Act of 1773, was certain to form a source of confusion, since it administered English law, and the limits of its jurisdiction were very vaguely defined.[2] In the following passage from a letter to Lord North, the author of the Act, he makes a suggestion by which the native courts and law might be strengthened and saved from ruin, while conflict of jurisdiction between them and the Supreme Court might be avoided, by placing the native courts under the supervision of the English judges. To this idea he returned in 1780, when the conflict of jurisdictions was at its height (see No 56). His device was then entirely successful. It formed one of the grounds of his impeachment.)

To Lord North, January 20, 1776

I persuade myself that I shall stand in no need of any apology for troubling your Lordship with the enclosed sheets. They contain the copy of a plan which I have transmitted to the Court of Directors by this despatch, for the more perfect distribution of justice in these provinces. The design of it may be comprised in a few words. It is to extend the jurisdiction of the Supreme Court of Judicature to all parts of the provinces without any limitation, to confirm the Courts which have been established on the principles of the ancient constitution of the country, by the names of *Nizamat* and *Diwani*, to unite the judges of the Supreme Court with the members of the Council in the control of the latter, and to give the Provincial Councils a legal authority in the internal government of the country, and in the collection of the public revenue.

(Gleig ii 14)

54 Hastings' Defence of Indian Law

(One of Hastings' root principles was that Indian law and custom should be as far as possible preserved and respected, and during the first period of his governorship, while his new judicial system was being

[1] The agent of the majority at the court of Oudh.

[2] The main question was, Who were covered by the term "British subjects"? Did this include all the inhabitants of Bengal, or only the inhabitants of Calcutta and the servants of the Company?

created, he set on foot the creation of a Hindu code, which was also translated into English for the guidance of the Company's servants. When he learnt that the wiseacres of 1773 proposed to introduce English law, to be administered by a new Supreme Court, he sprang to the defence of the Indian system, appealing to Lord Mansfield, the greatest of English lawyers, in the first of the following letters His interest in the subject was maintained during the period of conflict, and is expressed in the second of the following excerpts, also addressed to Lord Mansfield. The whole cost of compiling the code was borne by Hastings out of his own pocket)

To Lord Mansfield, March 21, 1774

Among the various plans which have been lately formed for the improvement of the British interests in the provinces of Bengal, the necessity of establishing a new form of judicature, and giving laws to a people who were supposed to be governed by no other principle of justice than the arbitrary wills, or uninstructed judgments, of their temporary rulers, has been frequently suggested, and this opinion I fear has obtained the greater strength from some publications of considerable merit in which it is too positively asserted that written laws are totally unknown to the Hindus or original inhabitants of Hindustan From whatever cause this notion has proceeded, nothing can be more foreign from truth I presume, my Lord, if this assertion can be proved, you will not deem it necessary that I should urge any argument in defence of their right to possess those benefits under a British and Christian administration which the Mahomedan government has never denied them It would be a grievance to deprive the people of the protection of their own laws, but it would be a wanton tyranny to require their obedience to others of which they are wholly ignorant, and of which they have no possible means of acquiring a knowledge It was judged advisable for the sake of giving confidence to the people, and of enabling the Courts to decide with certainty and despatch, to form a compilation of the Hindu laws with the best authority which could be obtained, and for that purpose ten of the most learned *pundits* were invited to Calcutta from different parts of the province, who cheerfully undertook this work, have incessantly laboured in the prosecution of it, and have already, as they assure me, completed it, all but the revisal and correction of it

This code they have written in their own language, the Sanscrit A translation of it is begun under the inspection of one of their body into the Persian language, and from that

into English. The two first chapters I have now the honour to present to your Lordship with this, as a proof that the inhabitants of this land are not in the savage state in which they have been unfairly represented, and as a specimen of the principles which constitute the rights of property among them. . With respect to the Mahomedan law, which is the guide at least of one fourth of the natives of this province, your Lordship need not be told that this is as comprehensive, and as well defined, as that of most states in Europe, having been formed at a time in which the Arabians were in possession of all the real learning which existed in the western parts of this continent (Gleig i 399)

To Lord Mansfield, January 20, 1776

Few circumstances could have afforded me more pleasure than the manner in which your Lordship has been pleased to express your acceptance of the specimen which I took the liberty to send you of the Hindu laws and your approbation of my endeavours to render the knowledge of them familiar to the inhabitants of this country, and to my own countrymen settled in it, my merit in this performance was very small It consisted only in the original design, in making choice of persons able and well qualified for such a work and in encouraging them in the execution of it I have now the honour to send you the remainder of the translation, with a preface and introduction of the pundits, or original compilers There is an uncommon liberality of sentiment in the preface, or preliminary discourse, which I think I may venture to pronounce will make it highly acceptable to your Lordship and in the little treatise which comprehends the duties of the sovereign magistrate I am certain your Lordship will admit the good sense and benevolence which appear to have inspired the venerable authors whose precepts are extracted in it

(Gleig ii 20)

PERIOD III

THE STRUGGLE FOR EXISTENCE, 1776–85

During the last and longest period of Hastings rule much excellent work was done in revising and strengthening the

system of government, the restrictions imposed on the trade of the Company's servants by the Act of 1773, though they did not amount to total prohibition, undoubtedly strengthened Hastings' hands in purifying the service We do not deal here fully with the changes of these years, because they were partly superseded by the reforms of Cornwallis in the next period, under the terms of the Act of 1784 But one act of Hastings, which was at the time much attacked, deserves special notice Since 1774 the provincial councils of revenue (No 45) had also exercised civil jurisdiction Hastings separated the judicial from the revenue function, a very necessary reform, and set up a special court in each district under an English judge (No 55) The Supreme Court (administering English law) claimed jurisdiction over all cases brought by natives of Bengal whether technically British subjects or not Their claims thus came into direct conflict with those of the new Indian courts, and especially the *Sudder Diwani Adalat*, or Central Civil Court, which Hastings had established at Calcutta At the same time, the procedure both of this central court and of the new local courts stood in much need of strengthening and reorganisation by an able lawyer It was out of the question that the Supreme Court should be allowed completely to override the native law and the local jurisdiction, and in the conflict the Council very strongly took this line, Francis—Hastings' bitterest opponent—being far more violent in opposition than Hastings himself, who recognised that after all the Supreme Court was trying to do justice according to its lights After the conflict had lasted several years, Hastings, in 1780, found a solution in the proposal that the Chief Judge of the Supreme Court should also be Chief Judge of the *Sudder Diwani Adalat* Sir Elijah Impey, who was Chief Judge, was well qualified for the task, having studied Persian and Hindu law since coming to India He accepted the office, refused additional salary, and did invaluable work in reorganising the procedure of the new local courts and easing the relationship between them and the Supreme Court This arrangement was subsequently made a ground of attack against both

Hastings and Impey; it was treated as a corrupt bargain between them. But the minute (No 56) in which Hastings explains the proposal shows that this was an injustice, and that the proposal was an extremely ingenious and statesman-like way of turning to actual advantage a very dangerous state of things

But the supreme interest of the later years of Hastings' rule is to be found in the tremendous conflict in which he was engaged against a combination of the most formidable powers in India, acting under the influence of France, at a time when the whole resources of Britain were strained to the utmost by the struggle with the American colonists, France, Spain, and Holland The courage, vigour and resource with which Hastings met this crisis form perhaps his most imperishable title to fame Never was boast more justified than that which he proudly made against his enemies (No 58), that he gave shape to, and preserved, the British dominion in India This desperate struggle compelled him to empower his only ally, the Nawab of Oudh, to reclaim from the Begums the treasure which the Council had wrongfully given to them, and lacking which Oudh was helpless It led him to exact from the vassal Raja of Benares a special contribution such as he could well afford, and such as vassal princes were always liable to pay, by Indian usage, and when the Raja revolted, and was shown to have been engaged in treasonable relations with the Mahrattas and the Begums of Oudh, he was deposed and exiled These events formed subsequently two of the main indictments against Hastings We cannot here find space for any record of them, nor is it possible to illustrate the course of the tremendous conflict against the Mahrattas and Hyder Ali of Mysore One dispatch only, on the Mahratta War, is inserted (No 59), and this not as a narrative of the war, but as a means of illustrating the way in which Hastings was hampered by the insubordination of the minor presidencies, and the short-sightedness of his Council The Mahratta War was in fact the outcome of mismanagement during the second period, when Hastings was overridden by his Council, to this

period, and to the confused and incompetent action of the Madras Council, are also to be traced the main causes of the war with Hyder Ali and the general disorganisation of the Company's power in Southern India It was a fortunate thing for British India that Hastings had regained his authority before the crisis came

In No 60 will be found a long excerpt from the final defence of his administration which Hastings wrote on his way home No one can honestly read this piece without being deeply impressed by the greatness of the writer, by his passion for good government, and by his grave and deep regret that circumstances had forbidden him to do what he knew he could have done for the welfare of the millions of India That these millions recognised him as a benefactor is testified by the spontaneous tributes, some brief extracts from which are printed in Nos 61 63

The student who wishes to pursue the subject further is recommended to read Sir George Forrest's admirable Introduction to the Dispatches of Hastings, which affords an excellent exposure of the distortion of facts and misrepresentation of motives which disfigure Macaulay s famous Essay

53 Reforms during the War

(The following passage shows how Hastings' zeal for administrative reform seized the chance presented by the overthrow of his opponents, in spite of the distractions of the great war, which was at its height when the letter was written He is at last able to get rid of the Revenue Councils, which he had unwillingly instituted in 1774 (No 45) He re-establishes independent local courts to administer Indian law, and places them under able and impartial supervision He gets rid of the last traces of the oppressive English control over local trade. And he substitutes for perquisites and private trade a commission on receipts as a mode of stimulating and rewarding the Company's servants.)

To Major Scott,[1] *April* 26, 1781

Revenue —We have abolished all the Provincial Councils, and have given the general administration of the revenue to a committee, consisting of four persons They have no fixed salaries, and are sworn to receive no perquisites. In lieu

[1] Scott was Hastings' agent and representative in England.

of both they are to draw a commission of one per cent on the monthly amount of their net collections, and that commission is doubled on such sums as are paid immediately to the treasury in Calcutta By this plan we hope to bring the whole administration of the revenues to Calcutta without any intermediate charge, or agency, and to effect a saving of lacs to the Company, and to the *zemindars* and *ryots* I have left the chiefs[1] for a time as collectors The others have been allowed to retain their salaries till they get other employments, and, with the addition of new courts of justice, distributed at equal distances throughout the provinces, and by other means, I have fortunately provided for many of them

Courts of Justice —I have established other courts, that the distribution of justice may be equal The judges are all sworn They have a *faujdari*[2] jurisdiction added to their former powers, that is, the power of apprehending robbers and other capital offenders against the public peace This duty was before vested in *faujdars* who were appointed by Mahomed Reza Khan, subject and accountable to him only, and maintained at an expense of five lacs a-year, besides what they drew by oppressive exactions from the poor *ryots*, of which there have been great complaints The judges are young men, as well chosen as they could be They are under the instruction and control of the Chief Justice, and therefore less liable than they would be to error if they acted with no other check than that of the Board, which has too many occupations to give the requisite attention to them , and being under his protection they will not be discouraged from the discharge of their duty by the apprehension or threats of prosecution in the Supreme Court

Customs —We have abolished the collectors, and established three commissioners, who are to be paid by a commission on their monthly collections, like the committee of revenue The Company's goods provided in the provinces will be subject to the same duty as others, but a drawback allowed on their amount when made part of their cargoes This is to prevent the trade of individuals from being covered by the Company's *dastaks* My objects in this alteration are to free the trade of the country from unauthorized exactions, and to make the duties equal and certain, ultimately to produce an increase of trade, and of the revenues arising from it in consequence

(Gleig ii 375.)

[1] *I.e.* the heads of the Provincial Councils. [2] Police.

56 The Relations of the Supreme Court with the Local Judiciary

Hastings' Minute, September 29, 1780

The institution of the new Courts of *Diwani Adalat* has already given occasion to very troublesome and alarming competition between them and the provincial councils, and too much waste of time at this Board

By the constitution of the *Diwani* Courts they are all made amenable to a superior Court called the *Sudder Diwani Adalat*, which has been commonly but erroneously, understood to be simply a Court of Appeals Its province is, and necessarily must be, more extensive It is not only to receive appeals from the decree of the inferior Courts in all causes exceeding a certain amount but to receive and revise all the proceedings of the inferior Courts, to attend to their conduct, to remedy their defects and generally to form such new regulations and checks as experience shall prove to be necessary to the purpose of their institution Hitherto the Board has reserved this office to itself

This authority the Board is incapable of exercising, and if delegated to any body of men or to any individual agent not possessing in themselves some weight independent of mere official power it will prove little more effectual The only mode which I can devise to substitute for it is included in the following motions which I now submit to the consideration of the Board

That the Chief Justice be requested to accept of the charge and superintendency of the office of *Sudder Diwani Adalat* under its present regulations, and such other as the Board shall think proper to add to them or to substitute in their stead, and that on his acceptance of it he be appointed to it and stiled the judge of the *Sudder Diwani Adalat*

The want of legal powers, except such as were implied in very doubtful constructions of the Act of Parliament, and the hazards to which the superiors of the *Diwani* Courts are exposed in their own persons from the exercise of their functions, has been the principal cause of their remissness, and equally of the disregard which has been in many instances shown to their authority They will be enabled to act with confidence, nor will any man dare to contest their right of acting when their proceedings are held under the sanction and

immediate patronage of the first member of the Supreme Court, and with his participation in the instances of such as are brought in appeal before him and regulated by his instructions They very much require an instructor, and no one will doubt the superior qualifications of the Chief Justice for such a duty

It will be the means of lessening the distance between the Board and the Supreme Court, which has perhaps been, more than the undefined powers assumed to each, the cause of the want of that accommodating temper which ought to have influenced their intercourse with each other

The contest in which we have been unfortunately engaged with the Court bore at one time so alarming a tendency that I believe every member of the Board foreboded the most dangerous consequences to the peace and resources of the Government from them They are at present composed, but we cannot be certain that the calm will last beyond the actual vacation, since the same grounds and materials of disunion subsist, and the revival of it, at a time like this, added to our other troubles, might, if carried to extremities, prove fatal .

(Forrest, *Selections from the State Papers of Hastings*, I 209)

57 HASTINGS' EDUCATIONAL WORK

(The following passage is taken from a despatch in which, in the eve of his return, Hastings asks the Directors to take over certain unauthorised expenditures which he had met out of his own purse)

To the Directors, February 21, 1784

No 4 consists of three several kinds of charges, which I confess to have been unauthorised, but which I humbly conceive neither to be of a private nature, nor unworthy subjects of the bounty of a great and rising state The first is inconsiderable, consisting chiefly in the subsistence of the *Pundits* who were assembled in Calcutta and employed during two years in compiling the code of Hindu laws for your use The sum allotted to them was, as I recollect, one rupee to each *per diem* A larger recompense was offered, but refused, nor would they receive this but for their daily support They had, indeed, the promise of some public endowments for their colleges, which yet remain unperformed The second is the amount of sundry monthly salaries paid to some of the most learned professors of the Mahomedan law, for translating from the Arabic into the Persian tongue, a compendium of their law,

called the *Hedaya*, which is held in high estimation, and part of a more voluminous work, which I could not prosecute. Your Honourable Court is in possession of a part of the English version of the *Hedaya*, made by Mr James Anderson, and the subsequent part of the same work has been lately translated by Mr Hamilton These gentlemen are both engaged in the completion of it, and are both eminently qualified for it It would exceed the due bounds of this letter to expatiate on the utility of this work, yet I may be allowed to vindicate the expense of it by one summary argument, which is, that while the Mahomedan law is allowed to be the standard of the criminal jurisprudence of your dominion, under the control and inspection of your English servants, it seems indispensably necessary that the judges of the courts should have a more familiar guide for their proceedings than the books of the Arabic tongue, of which few have opportunities of attaining a competent knowledge and as necessary that your servants should possess the means of consulting the principles on which those judgments are founded which in their ultimate resort, and in extraordinary cases may fall within their immediate cognizance and of the laws of which they are the protectors

The third charge is that of an academy instituted for the study of the different branches of the sciences taught in the Mahomedan schools After a trial of about two years, finding that it was likely to answer the end of its institution I recommended to the Board, and obtained their consent, to pass the subsequent expense of the establishment to the account of the Company, and to erect a building for the purpose, at my own immediate cost but for a Company's interest note granted me for the reimbursement of it It is almost the only complete establishment of the kind now existing in India, although they were once in universal use, and the decayed remains of these schools are yet to be seen in every capital, town and city of Hindostan and Deccan It has contributed to extend the credit of the Company's name, and to soften the prejudices excited by the rapid growth of the British dominions, and it is a seminary of the most useful members of society

I humbly submit the propriety of carrying these expenses to your account by the consideration that it was not possible for me to have been influenced in incurring them by any purpose of my own interest Something perhaps may be attributed to the impulse of pride in the share which I might hope to derive of a public benefaction, but certainly not to

vanity or ostentation, since I believe it to be generally conceived that the whole expense, of which the greatest part is yet my own, has been already defrayed from the treasury of the Company (Gleig iii 158)

58 Hastings the Saviour of British India

The valour of others acquired, I enlarged and gave shape and consistency to the dominion which you hold there, I preserved it, I sent forth its armies with an effectual but economical hand, through unknown and hostile regions, to the support of your other possessions, to the retrieval of one[1] from degradation and dishonour, and of the other[2] from utter loss and subjection I maintained the wars which were of your formation, or that of others, not of mine I won one member[3] of the great Indian confederacy from it by an act of reasonable restitution, with another[4] I maintained a secret intercourse, and converted him into a friend, a third[5] I drew off by diversion and negotiation, and employed him as the instrument of peace When you cried for peace, and your cries were heard by those who were the object of it, I resisted this, and every other species of counteraction, by rising in my demands, and accomplished a peace and I hope everlasting, with one great State,[6] and I at least afforded the efficient means by which a peace, if not so durable, more seasonable at least, was accomplished with another[7]

I gave you all, and you have rewarded me with confiscation, disgrace, and a life of impeachment

(Forrest, *Selections from the State Papers of Hastings*, i 290)

59 The Mahratta War

September 13, 1786

The first hostilities against the Mahrattas commenced unknown and unsuspected by our Government, and had not even the shadow of a plea to justify them They took place about December, 1774 We heard of them some time in the beginning of the ensuing year I urged the Board (then substantially consisting of Clavering, Monson, and Francis)

[1] Bombay. [2] Madras [3] The Nizam. [4] Mudaji Bhonsla. [5] Mahdaji Sindhia. [6] The Mahrattas. [7] Tipu Sahib.

to condemn the measure, and command the government of Bombay to retract it, but as the means of doing this, to proceed with their operations in the field till they could make peace without soliciting it. The majority resolved on peace at all events, and ordered back the army abruptly to its quarters. A peace was made, but on terms so loose, and with concessions on our part so degrading, that the conditions were never fulfilled on either side. I opposed the negotiation, but when the treaty was concluded, I was its most strenuous asserter, for there are two letters to Bombay on record, both written by me after Monson's death in one of which we indirectly threatened them with dismission if they were aggressors in the breach of it and in the other we gave them long instructions for the accommodation of every point of their differences. In the mean time they were invited by a conspiracy of one part of the Mahratta administration to unite in a plan for the restoration of their former adherent Ragoba.[1] They agreed to become parties in it, prepared to take the field, and advised our Government of it excusing their engaging so far without our licence by the nature and necessity of the project, which required both secrecy and instant decision and action. What could we do? I had then the rule with Mr Barwell's aid. The design was more desperate than those who had adopted it were themselves aware of. But I judged that they were yet involved too far to recede without some consequences of danger, that if they did act and succeeded they had not strength to maintain their ground; if they failed, they had not strength to defend themselves. Whichever way the subject presented itself it displayed dangers which without our support appeared insurmountable, and the die was cast before we were apprised of the throw. It was not a time to blame, nor to distinguish between the measures of right and wrong. The wrong (for wrong it was) was theirs who did it. Our part was to hinder it from affecting the interests of our common masters and if possible convert it to their advancement. At my instance the Board ratified what they had done, sent them money, provided a powerful detachment which was ordered to march by a route and through an untraced geography to their relief. I had previously sounded, and ensured an ally in the Raja of Berar. Leslie, who commanded the detachment

[1] An exiled claimant to the office of Peshwa—the head of the Mahratta confederacy. The Bombay Council interfered in the internal disputes of the Mahrattas in order to get possession of the island of Salsette.

(and I had no choice of a better leader), disobeyed his instructions We recalled him, but he died, and Goddard was appointed in his place He marched rapidly by the prescribed line, was received by the government of Berar with every due of hospitality, but here the design received a check, and required a total alteration

On the formation of the detachment I deputed Elliott to the Raja of Berar,[1] and entrusted him with a plan for engaging the junction of that chief In the first draft of the orders which were sent to Bombay at the time of Elliott s mission I had, in peremptory terms, required their forbearance of every plan of their own till they should receive our instructions for their future proceeding in the event of his success Unfortunately the Court of Directors had given their orders, of which we had recently received the copy, to Bombay, to resume the cause of Ragoba *in case of a breach* of the treaty The consequence was, that no sooner did they hear of Goddard's approach, than they precipitately rushed to the field, without plan, alliance, or weighed strength, with troops that had scarce ever seen service, under the command of an officer who was then actually bedridden They were defeated, yielded themselves prisoners of war and were ignominiously reconducted to Bombay Poor Elliot died before he had completed his journey Mudaji,[2] anxious for the accomplishment of the negociation pressed me to transfer his credentials to his secretary, Mr Farquhar, but learning almost instantly the new engagements concluded with Ragoba he wrote a second letter revoking all that he had written in the first, complaining of our want of power to enforce our own plans and orders, and earnestly pressing the return of General Goddard

Goddard however, had orders to proceed arrived without opposition on the confines of Surat, acquired possession of a large territory, which, though of little use to us was a loss of revenue to the Mahrattas which they could ill afford, and a campaign ensued in which our arms recovered their lustre, and the British name more than the credit which it had lost. But no substantial advantage was gained

(Gleig ııı 306)

[1] The nearest to Bengal of the Mahratta princes.
[2] The Raja of Berar

60 Hastings' Review of his Administration

(Written 1785)

I shall add some reflections upon the general subject of the political interests of the Company, or of the British nation in India and if I shall appear to speak too much of myself, let it be remembered, that the whole of this composition is in effect a portion of the history of my own life, in those events of it which were blended with the public Besides, I am not sure that the Company possessed a political character, or can be said to have conducted their intercourse with other nations on any system of established policy, before the period in which I was appointed to the principal administration of their affairs

I know how readily many will both reprobate the system, and admit me for its author for the sake of reprobating me also for it I am not its author The seed of this wonderful production was sown by the hand of calamity It was nourished by fortune, and cultivated, and shaped (if I may venture to change the figure) by necessity Its first existence was commercial it obtained, in its growth, the sudden accession of military strength and territorial dominion, to which its political adjunct was inevitable It is useless to inquire whether the Company, or the nation, has derived any substantial benefit from the change, since it is impossible to retrace the perilous and wonderful paths by which they have attained their present elevation and to re-descend to the humble and undreaded character of trading adventurers Perhaps the term of the national existence in India may have become susceptible of a shorter duration by it, but it is that state which it must henceforth maintain, and it must therefore adopt those principles which are necessary to its preservation in that state To explain these principles, and to show the necessity of their construction to the duration of the British dominion in India, is foreign from the present design, as it is perhaps too late to attempt it with any chance of its application, to any purpose of utility Yet so much as I have said, was necessary to obviate the common objection, of those who look upon the East India Company still as a body of merchants, and consider commerce as their only object

I have been represented to the public as a man of ambition, and as too apt to be misled by projects of conquest. Though

the only two facts on which this imputation has originated,[1] have been refuted on the clearest conviction, . the imputation still remains .

I can affirm, that the charge is wholly and absolutely false, as it is inconsistent with any motive of pride, avarice, or thirst of power, for what profit or advantage could I have acquired, or hoped to acquire, for instance, in a Mahratta war, or what reputation in any war, the operations of which must necessarily depend on another? The first acts of the government of Bengal, when I presided over it, were well known at the time to have been formed on principles which I was allowed to dictate These consisted of a variety of regulation, which included every department of the service, and composed a system as complete as a mind incompetent like my own, though possessed of very superior aids, could form, of military, political, productive, œconomical, and judicial connection I found the Treasury empty the revenue declining, the expences unchecked, and the whole nation yet languishing under the recent effects of a mortal famine Neither was this a season for war, nor, occupied as I was in it, would candor impute to me even a possible disposition to war The land required years of quiet to restore its population and culture, and all my acts were acts of peace I was busied in raising a great and weighty fabric, of which all the parts were yet loose and destitute of the superior weight which was to give them their mutual support A tempest or an earthquake could not be more fatal to a builder whose walls were uncovered, and his unfinished columns trembling in the breeze, than the ravages or terrors of war would have been to me and to all my hopes

I laid my plans before the Court of Directors, and called upon them to give me the powers which were requisite for their accomplishment and duration[2] These were silently denied me, and those which I before possessed feeble as they were, were taken from me Had I been allowed the means which I required, I will inform my readers of the use to which I intended to apply them I should have sought no accession of territory, I should have rejected the offer of any which would have enlarged our line of defence, without a more than proportionate augmentation of defensive strength and revenue I should have encouraged, but not solicited, new alliances, and

[1] The treaty with Oudh and the Mahratta war
[2] See No 39.

should have rendered that of our government an object of solicitation, by the example of those which already existed. To these I should have observed, as my religion, every principle of good faith, and where they were deficient in the conditions of mutual and equal dependance, I should have endeavoured to render them complete, and this rule I did actually apply to practice in the treaty which I formed with the Nawab Shuja-uddaula in the year 1773

With respect to the provinces of the Company's dominion under my government, I should have studied to augment both their value and strength by an augmentation of their inhabitants and cultivation This is not a mere phantasy of speculation The means were most easy, if the power and trust were allowed to use them Every region of Hindostan, even at that time, groaned under different degrees of oppression, desolation, and insecurity The famine which had wasted the provinces of Bengal had raged with equal severity in other parts, and in some much greater, and the remembrance of it yet dwelt on the minds of the inhabitants with every impression of horror and apprehension I would have afforded an asylum in Bengal, with lands and stock to all the emigrants of other countries, I would have employed emissaries for their first encouragement, and I would have provided a perpetual and proclaimed incentive to them in the security of the community from foreign molestation, and of the individual members from mutual wrong, to which purpose, the regulations already established were sufficient with a power only competent to enforce them And for the same purpose and with a professed view to it, I early recommended, even so early as the year 1773, the erection of public granaries on the plan since happily commenced

Those who have seen, as I did in a time of profound peace, the wretched inhabitants of the Carnatic, of every age, sex, and condition, tumultuously thronging round the walls of Fort St George, and lying for many successive days and nights on the burning soil, without covering or food, on a casual rumour, falsely excited, of an approaching enemy, will feelingly attest the truth of the contrast which I have exhibited and will readily draw the conclusion which I have drawn from it . . That such a state as I have described would have been attained without imperfection or alloy, I do not pretend to suppose; but I confidently maintain, that under an equal, vigorous, and fixed administration, determined on the execution of such a

plan to its accomplishment, it would have been attainable, even with common talents prosecuting it, to a degree as nearly approaching to perfection as human life is capable of receiving The submissive character of the people, the fewness of their wants, the facility with which the soil and climate, unaided by exertions of labour, can supply them, the abundant resources of subsistence and trafficable wealth which may be drawn from the natural productions and from the manufactures, both of established usage and of new introduction, to which no men upon earth can bend their minds with a readier accommodation and above all, the defences with which nature has armed the land, in its mountainous and hilly borders, its bay, its innumerable intersections of rivers, and inoffensive or powerful neighbours, are advantages which no united state upon earth possesses in an equal degree, and which leave little to the duty of the magistrate, in effect, nothing but attention, protection and forbearance

But though I profess the doctrine of peace, I by no means pretend to have followed it with so implicit a devotion as to make sacrifices to it I have never yielded a substantial right which I could assert or submitted to a wrong which I could repeal, with a moral assurance of success proportioned to the magnitude of either and I can allude to instances in which I should have deemed it criminal not to have hazarded both the public safety and my own in a crisis of uncommon and adequate emergency, or in an occasion of dangerous example

I have ever deemed it even more unsafe than dishonourable to sue for peace and more consistent with the love of peace to be the aggressor in certain cases than to see preparations of intended hostility, and wait for their maturity to repel it The faith of treaties I have ever held inviolate Of this I have given the most ample and public testimonies in my conduct to the Nawab Shuja-uddaula to the Nawab Asuf-uddaula, the Nawab Walaja,[1] to the Rana of Gohud, to the Nawab Nizam Ali Khan, Raja Fateh Singh, and Mahdaji Sindhia, and I have had the satisfaction of seeing the policy, as well as the moral rectitude of this practice justified by the exemplary sufferings of all who have deviated from it, in acts of perfidy to myself, or to the government over which I preside during the time that I have had charge of it

If in this display of my own character, I shall appear to have transgressed the bounds of modesty, I shall not decline

[1] Mahomed Ali, Nawab of the Carnatic

the charge nor fear to aggravate it by adding, that I have never yet planned or authorised any military operation, or series of operations, which have not been attended with complete success, in the attainment of its professed objects; and that I have never, in any period of my life, engaged in a negociation which I did not see terminate as I wished and expected, and let this conclusion be offered as an undeniable proof of the propriety and efficacy of the principles on which I have regulated my conduct in both

No state can carry on extensive military operations for any length of time, without imposing some burdens upon its subjects, or subjecting them to consequent inconveniences, and those that suffer will complain and condemn measures which create partial exigency, without considering their object and tendency To the complaints of individuals, the adherents of party will superadd their accusations, exaggerate the temporary evil that exists and darken, by despondency, the bright expectations of a future period Such particularly has been the case in Bengal, and murmurs, suspicions, and despair, have been transmitted from India to England

In proportion as our distresses have been, or have appeared to be, pressing, the power, resources, and advantages of our enemies have been supposed to accumulate, and an idea is adopted without reflection, that the cause which diminishes our resources, operates on one side only, without producing a similar effect on the strength of our enemies, as if it were in their power to marshal armies, and undertake military expeditions, without any augmentation of expence or distress of individuals With as limited a judgment men are apt to draw conclusions from the errors and deficiencies of government, and the mismanagement of military operations, not reflecting that our adversaries have also their difficulties to surmount, which arise out of the imperfection of human policy and the depravations of self-interest, and that the fortune of contending states, as of simple individuals as often turns on the different effects of their mental blunders and misconduct, as on the superiority of skill and exertion

But widely different is the estimate formed by those whom necessity has led us to oppose or attack, of our strength and resources They behold with astonishment the exertions that have been made from the banks of the Ganges, and reasoning as we have done from their own distresses, lament the necessity that has engaged them in wars with a power capable of making

such exertions, and whose resources, instead of being diminished, must appear to them to augment Instead of being able to extend their incursions to the capital of our dominions, which at a period little remote from the establishment of the Company's authority they did with success, they find themselves attacked in the centre of their own territories, and all their exertions required for the defence of them They find, notwithstanding the temporary success they have derived from accident or mismanagement, that we have fresh armies ready to take the field, and that whilst our spirit is unabated, our strength is sufficient to give efficiency to its resolutions

The conclusion I would draw from these premises is, that the vigorous exertions which we have made for the defence and security of our own possessions, have impressed an idea of our strength and resources among the powers of India, which will, more than any other motive contribute to establish the present peace on a firm foundation, to shew that if our resources have suffered a diminution, those of the states with which we have been engaged in war have felt, in probably a greater degree, the same inconvenience and finally, to evince the propriety of those exertions notwithstanding the expence with which they have been made, by the event itself, which has evidently proved to all the powers of Hindostan and Deccan that their combined strength and politica, assisted by our great European enemy the French have not been able to destroy the solid fabric of the English power in the East, nor even to deprive it of any portion of the territories over which its control extends

I am authorized by my own experience to assert, what every man who has resided long in Bengal, and has had opportunities of visiting the countries beyond the Company's jurisdiction, is qualified to confirm that the territorial possessions of the English in Bengal and Behar are not only better cultivated than the lands of any other state of Hindostan, but infinitely superior to what they were at the time the Company received the grant of the *Diwani*, or for many years preceding that period

I have often with pleasure expatiated on the peculiar talents of the late Mr Cleveland, in civilizing the inhabitants of the mountainous districts of the Jangalteri, or wild and hilly lands of Rajmahal, by a system of conciliation which will long endear his memory to those who have felt the benefits of it, and I cannot deny myself the gratification arising from the

reflection, that the exertion of those talents was in a great measure owing to the public support and private encouragement he received from me In the honours bestowed upon his memory, the Board have consulted the interests of the Company, by holding forth for imitation a character so worthy of it The immediate advantages of his labours are seen in the security which the inhabitants of the adjacent lands possess, no longer apprehensive of being plundered of the produce of their labour by a lawless banditti, they have extended their cultivation over large tracts of land, till lately impassable, and the country at the bottom of the Rajmahal hills, which I myself have seen in a state of nature, has assumed an appearance of universal fertility The remote advantages will be more considerable, should the continuance of the same plan of civilization increase the intercourse which has so lately been established between the inhabitants of the hills, and those of the low lands At all events, the Company have acquired a large accession of new subjects who are not only peaceable in themselves, but have been successfully employed in maintaining the peace of the country, and who, being warmly attached to us, by the superior benefits they have received from their civilization may, in case of public exigency, be usefully employed in the defence of our territories against foreign invasion

Although we have so long been in possession of the sovereignty of Bengal and have provided our investments, not as the returns of commerce but as the means of remitting the surplus of the revenues of the country, yet we have not been able so far to change our ideas with our situation, as to quit the contracted views of monopolists for objects tending to promote the prosperity of those territories, from which we derive so valuable a tribute It is of less consequence, considered as a national concern, that the investment should be procured cheap, than that the commerce of the country should flourish, and I insist upon it, as a fixed and incontrovertible principle, that commerce can only flourish when it is equal and free, nor in truth do I think that the Company, considered merely in their mercantile capacity, would much suffer from the operation of such a principle

From the vehemence and perseverance with which my immediate superiors laboured during the course of ten years to weaken my authority, to destroy my influence, and to embarrass all my measures, at a time when their affairs required the most

powerful exertions to sustain them, which I alone by my office could direct I much fear, that it is not understood as it ought to be, how near the Company's existence has on many occasions vibrated to the edge of perdition, and that it has been at all times suspended by a thread so fine, that the touch of chance might break, or the breath of opinion dissolve it, and instantaneous will be its fall whenever it shall happen May God in His mercy long avert it!

To say why a dominion held by a delegated and fettered power over a region exceeding the dimensions of the parent state, and removed from it a distance equal in its circuit to two thirds of the earth's circumference, is at all times liable to be wrested from it, would be a waste of argument

It is true, that it has hitherto stood unimpaired because it has met with no domestic stroke of fortune to agitate and try its texture And it may yet stand for some years to come, though still liable to the same insecurity The remedy is easy and simple but I fear it will be vain to propose it, because, if it is not (as I believe it is not) contrary to the principles of our national constitution, it will at least meet with very formidable obstacles in the prejudices which arise out of it

I affirm, as a point incontestable that the administration of the British Government in Bengal distant as it is from the reach of more than general instruction from the source of its authority and liable to daily contingencies, which require both instant decision and a consistency of system, cannot be ruled by a body of men variable in their succession, discordant in opinion, each jealous of his colleagues and all united in common interest against their ostensible leader Its powers are such, that if directed by a firm and steady hand, they may be rendered equal to any given plan of operation, but may prove the very instruments of its destruction if they are left in the loose charge of unconnected individuals, whose interests, passions, or caprices, may employ them in mutual contests, and a scramble for superiority

The inference to be drawn from these premises is, that whatever form of government may yet be established for these provinces, whether its control be extended to the other presidencies, or confined to its own demesnes, it is necessary that the Governor, or first executive member, should possess a power absolute and complete within himself, and independent of actual control[1] His character, which requires little

[1] See Nos. 39 and 65.

more than two qualifications, an inflexible integrity and a judgment unsusceptible of the bias of foreign suggestion, should be previously ascertained, and its consistency assured by the pledge of his life for the faithful discharge of so great a trust

Though the state of kingdoms is liable to dissolution from causes as mortal as those which intercept the course of human life, and though my opinion of the distempers which threaten that of the British empire in Bengal, may obtain credit from all who read it yet I fear that few will yield to its impression Like the stroke of death which every man knows will come, but no man acts as if he felt the conviction which he avows and thinks he feels, the very magnitude of the catastrophe may in this case blunt the sense of those to whom it is visibly apparent

I expect this effect and foresee that I may expose myself to much obloquy by recommending so new and unpopular a system Yet these considerations have not deterred me from endeavouring to render *this last service* to my country being assured if successful of *my reward in the conscious applause of my own mind brightening the decline of my existence*, and of this consolation in the dreaded reverse that no means within the compass of my ability had been left untried to prevent it

(Hastings, *Memoirs Relative to the State of India* 1786)

61 Indian Opinion of Hastings' Administration

(The following passages are excerpts from the numerous addresses sent to England from India during Hastings impeachment They were not obtained by the Government of India, which directed its representatives to take no part in securing them, beyond ensuring that they were spontaneously given and that no improper pressure was brought to bear The signatories had nothing to gain, and nothing to fear, from Hastings when these papers were written)

From the Inhabitants of Benares

He laid the foundations of justice and the pillars of the law In every shape we, the inhabitants of this country, during the time of his administration, lived in ease and peace We are therefore greatly satisfied with and thankful to him As the said Mr Hastings was long acquainted with the modes of government in these regions, so the inmost purpose of his heart was openly and secretly, indeed, bent upon those things

which might maintain inviolate our religious advances and persuasions, and guard us in even the minutest respect from misfortune and calamity In every way he cherished us in honour and credit

62

From the Pundits and other Brahmins of Benares

Whenever that man of vast reason, the Governor-General, Mr Hastings, returned to this place, and people of all ranks were assembled, at that time he gladdened the heart of every one by his behaviour, which consisted of kind wishes and agreeable conversation, expressions of compassion for the distressed, acts of politeness, and a readiness to relieve and protect every one alike without distinction To please us dull people, he caused a spacious music gallery to be built, at his own expense, over the gateway of the temple of Veesmaswar, which is esteemed the head jewel of all places of holy visitation He never at any time, nor on any occasion, either by neglecting to promote the happiness of the people, or by looking with the eye of covetousness, displayed an inclination to distress any individual whatsoever

63

From the Inhabitants of Murshidabad

The whole period of Mr Hastings residence in this country exhibited his good conduct towards the inhabitants No oppression nor tyranny was admitted over any one He observed the rules of respect and attention to ancient families He did not omit the performance of the duties of politeness and civility towards all men of rank and station when an interview took place with them In affairs concerning the government and revenues, he was not covetous of other men's money and property , he was not open to bribery He restricted the farmers and officers in their oppressions in a manner that prevented them from exercising that tyranny which motives of self-interest and private gain might instigate them to observe towards the *ryots* and helpless He used great exertions to cultivate the country, to increase the agriculture and the revenues He transacted the business of the country and revenues without deceit, and with perfect propriety and rectitude He respected the learned and wise men, and in order

for the propagation of learning he built a college, and endowed it with a provision for the maintenance of the students, insomuch that thousands reaping the benefits thereof offer up their prayers for the prosperity of England, and for the success of the Company

(Proceedings at the Trial of Warren Hastings)

CHAPTER V

THE NEW SYSTEM CONSOLIDATED

Cornwallis and Shore

1786–1798

THE controversy in England about the government of Warren Hastings had at least one great advantage, that it concentrated attention in a degree hitherto unknown upon the problem of Indian government The provisions of the Act of 1773 had been demonstrated to be inadequate, and it was agreed on all hands that the British Government must assume a more direct control over the political affairs of the Company The Coalition Government of 1783, which included Burke and others among Hastings' bitterest enemies, proposed a measure (known as Fox s India Bill, but really inspired by Burke) which would in effect have swept aside the Company as a political power, and brought all political appointments in India under the control of a Commission, which was to be appointed in the first instance by Parliament, and after seven years by the Crown The chief advocates of this measure had ten years earlier opposed North's Act as an intolerable invasion of the rights of property, because it interfered with the right of the Company to do what it would with its own Fox's India Bill was thrown out by the House of Lords, partly under the influence of the King, partly because of the opposition of commercial interests, but mainly because it was widely believed that the aim of the Whigs was to obtain control of the vast patronage of India for purposes of political corrup-

tion. When the Coalition Government fell, its successor, the Government of the younger Pitt, brought forward a compromise measure (No 64) which left political as well as commercial powers in the hands of the Company, but subjected the Directors to the close supervision of a new department of State, known henceforward as the Board of Control The head of the Board was at first one of the Secretaries of State without special salary, but after 1793 a special salaried President of the Board of Control was established, and this officer was ultimately responsible for the government of British India until he was succeeded, in 1858 by the Secretary of State for India Indeed, in its main lines, the Act of 1784, though modified in detail by many subsequent Acts, remained the governing Act for Indian affairs down to 1858

The relation between the Board of Control and the Company is defined in the first 17 clauses of the Act These clauses give to the Board the last word in all matters of policy, though the Directors have to be consulted but all appointments were left in the hands of the Company though the Board had the right (§ 22) of recalling any British official in India The Governor-General and the Governors of Madras and Bombay were still left liable to be overridden by their Councils (§ 21), but as the number of Councillors was reduced to three (§ 19), the Governor, by the use of his casting vote, could always make his will predominate if he had one supporter This provision, had it existed in 1773 would have saved Hastings from being overridden by the majority in Council from 1774 to 1776 But it did not go far enough to meet the requirements defined by Hastings for efficient government (see No 39) And Hastings' opinion was shared by others Lord Cornwallis refused at first to accept the Governor-Generalship under the Act of 1784 because his power would not be equal to his responsibility In response to his criticisms, this defect was met in the supplementary Act of 1793 (No 65), whereby the Governor General was empowered to disregard the majority in Council, provided he did so in a formal way, accepting the responsibility for his own action Thus

Hastings' view was at last embodied in law The Act of 1784 further strengthened the control of the Governor-General over the minor Presidencies (§§ 31, 32, 35, 36)

Among the most striking provisions of the Act was the prohibition (§ 34) not merely of all aggressive war in India, but of all treaties of guarantee with Indian princes, like those with the Carnatic and Oudh, on the ground that "extension of dominion in India" was "repugnant to the honour and policy of this nation" This clause may be regarded as a formal repudiation of the policy attributed to Hastings The provision proved incapable of enforcement, since, as we shall see, the position of the Company in India imposed no alternative between alliances and extension of power on the one hand, or destruction on the other, and the first Governor-General under the Act, sent out for the express purpose of carrying out this policy, and honestly believing in its desirability, found himself compelled in self defence to depart from it, and to confess that the restriction imposed by the clause had grave dangers (see No 66)

The Act further demands (§ 39) a careful enquiry into the arrangements between the Company and their dependent rajas, *zemindars* etc, with a view to removing all just grounds of complaint It requires a strict revision of the Company's civil and military establishments with their salary schemes (§§ 40, 41), and imposes regulations regarding the promotion and appointment of servants (§§ 42 43) It makes the servants of the Company amenable to the courts for acts committed anywhere in India, whether within the territories of the Company or not (§ 44), and it lays down an extraordinarily elaborate machinery for checking trying and punishing extortion and misconduct

Lord Cornwallis, who was practically the first Governor-General under the Act (for the interim governorship of Sir John Macpherson was of little importance), entered upon his task in 1786 with many advantages, not least among which were his rank, and the fact that he was the first holder of the office who had not been a member of the Company's service,

and who therefore was not regarded by his subordinates as a lucky and favoured equal. He had three main tasks imposed upon him by the Act (1) To establish the system of non-intervention in Indian affairs (§ 34), (2) to enquire into and redress complaints as to the treatment of "rajas, *zemindars* and other landholders," and to settle "the permanent rules" upon which tribute or rent due from them should in future be paid, and (3) to reorganise the administrative system

These three questions are dealt with in the three groups of excerpts which follow, and in the case of the first two the well-meant but inelastic language of the Act led to unhappy results It may be said that in so far as the Act, and Cornwallis as its executor, departed from the principles of Warren Hastings, experience has proved that they were wrong

64 Pitt's India Act, 1784

(24 George III Cap xxv)

(If printed in full, this Act would occupy about fifty pages of the present volume It has been necessary therefore, to abbreviate it drastically, but it is believed that no point of any importance is omitted)

An Act for the better regulation and management of the affairs of the East India Company and of the British possessions in India, and for establishing a Court of Judicature for the more speedy and effectual trial of persons accused of offences committed in the East Indies

(1) It shall be lawful for the King's Majesty to appoint such persons, not exceeding six in number, as His Majesty shall think fit, being of His Majesty's most honourable Privy Council, of whom one of His Majesty's principal Secretaries of State for the time being, and the Chancellor of the Exchequer for the time being, shall be two, to be Commissioners for the affairs of India

(2) Any number, not less than three of the said Commissioners, shall form a Board for executing the several powers which shall be vested in the Commissioners aforesaid

(3) The Secretary of State, and in his absence, the Chancellor of the Exchequer, and, in the absence of both of them, the senior of the other Commissioners, shall be president of the Board; and the Commissioners shall have the superintendence

and control over all the British territorial possessions in the East Indies, and over the affairs of the Company.

(6) The Board shall be fully authorised to superintend, direct, and control, all acts, operations, and concerns, which in any wise relate to the civil or military government or revenues of the British territorial possessions in the East Indies

(11) All the members of the Board shall, at all convenient times, have access to all papers and muniments of the Company, and shall be furnished with such extracts or copies thereof as they shall require, and the Court of Directors of the Company shall deliver to the Board copies of all minutes and proceedings of all Courts of Proprietors of the Company, and of the Court of Directors, so far as relate to the civil or military government or revenues of the British territorial possessions in the East Indies, within eight days after the holding of such Courts, and also copies of all dispatches which the Directors shall receive from any of their servants in the East Indies, immediately after the arrival thereof, and also copies of all letters, orders, and instructions whatsoever relating to the civil or military government or revenues of the British territorial possessions in the East Indies, proposed to be dispatched by the Court of Directors, or any committee of the said Directors, to any of the servants of the Company in the East Indies, and the Court of Directors shall pay due obedience to such orders and directions as they shall receive from the Board, touching the civil or military government and revenues of the British territorial possessions in the East Indies

(12) Within fourteen days after the receipt of such copies last mentioned, the Board shall return the same to the Court of Directors, with their approbation thereof, or their reasons at large for disapproving the same, together with instructions from the Board in respect thereto, and the Court of Directors shall thereupon dispatch the letters, orders, and instructions, so approved or amended, to their servants in India, without further delay, unless, on any representation made by the Directors to the Board, the Board shall direct any alterations to be made, and no letters, orders, or instructions, until after such previous communication to the Board, shall at any time be sent by the Court of Directors to the East Indies, on any account or pretence whatsoever

(13) Whenever the Court of Directors neglect to transmit to the Board their intended dispatches on any subject within

fourteen days after requisition made, it shall be lawful for the Board to prepare and send to the Directors any orders or instructions concerning the civil or military government of the British territories and possessions in the East Indies, and the Directors shall transmit dispatches in the usual form (pursuant to the tenor of the said orders and instructions so transmitted to them) to the respective governments and presidencies in India, unless, on any representation made by the Directors to the Board, the Board shall direct any alteration to be made

(14) It shall be lawful for the Court of Directors to apply, by petition, to His Majesty in Council, touching such orders and instructions, and His Majesty in Council shall decide whether the same be or be not, connected with the civil or military government and revenues of the territories and possessions in India, which decision shall be final

(15) If the Board shall be of opinion that the subject matter of any of their deliberations concerning the levying of war or making of peace, or negotiating with any of the native princes or states in India, shall require secrecy, it shall be lawful for the Board to send secret orders to the Secret Committee of the Court of Directors, who shall thereupon, without disclosing the same, transmit their orders and dispatches in the usual form, according to the tenor of the orders and instructions of the Board, to the governments and presidencies in India, and the governments and presidencies shall pay a faithful obedience to such orders and dispatches, and shall return their answers to the same to the Secret Committee who shall forthwith communicate such answers to the Board

(16) The Court of Directors are hereby required to appoint a Secret Committee, to consist of any number of the Directors not exceeding three

(17) Nothing in this Act shall extend to give unto the Board the power of nominating or appointing any of the servants of the Company

(19) The government of the several presidencies and settlements of Fort Saint George and Bombay shall, after the commencement of this Act, consist of a Governor or President, and three Councillors only, of whom the commander-in-chief in the several settlements shall be one, unless the commander-in-chief of the Company's forces in India shall happen to be present, and in such case the commander-in-chief shall be one

of the Councillors instead of the commander-in-chief of such settlement .

(21) In case the members present at any of the boards or councils of Fort William, Fort Saint George, or Bombay, shall at any time be equally divided in opinion the Governor-General or the Governor or President shall have two voices, or the casting vote

(22) It shall be lawful for the King's Majesty by any instrument under his sign-manual, countersigned by the Secretary of State or for the Court of Directors, to recall the present or any future Governor-General of Fort William at Bengal, or any other person holding any office, civil or military, under the Company in India , Provided that a copy of every such instrument, within eight days after the same shall be signed by His Majesty, be transmitted by the Secretary of State unto the Chairman or Deputy Chairman of the Company

(23) Whenever any vacancy of the office of Governor-General or President or of any member of the Council, shall happen in any of the Presidencies the Court of Directors shall proceed to appoint a fit person to supply such vacancy from amongst their covenanted servants in India, except to the office of Governor General, or the office of Governor or President of Fort Saint George or Bombay or of any Commander-in-Chief, to which several offices the Court of Directors shall be at liberty to nominate and appoint any other person

(24) Provided that the commanders in-chief at each of the Presidencies shall in no case succeed to the office of Governor-General or President of Fort William, Fort Saint George, or of Bombay unless thereunto specially appointed by the Court of Directors of the Company , but that in case of vacancy when no person shall be specially appointed to succeed thereunto, the Councillor next in rank to such commander-in-chief shall succeed to such office and hold the same until some other person shall be appointed thereunto by the said Court of Directors

(25) When and so often as the Court of Directors shall not, within the space of two calendar months, proceed to supply the same, it shall be lawful for His Majesty to appoint by writing under his royal sign-manual such person as His Majesty shall think proper, with the same powers as if he had been nominated and appointed by the Court of Directors

(26) No resignation of the offices of the Governor-General, or Governor or President of any of the subordinate settlements

or Commander-in-Chief, or member of the Councils of any of the Presidencies in India, shall be deemed to be valid, unless the same be made by an instrument in writing under the hand of the officer resigning the same

(29) No order or resolution of any general Court of the Proprietors of the Company shall be available to revoke or rescind, or in any respect to affect, any act or proceeding of the Court of Directors by this Act authorised to be done by the Court, after the same shall have been approved by the Board

(31) The Governor-General and Council of Fort William shall have authority to control the several Presidencies and governments in the East Indies in all transactions with the country powers, or the application of the revenues or forces of such Presidencies in time of war or any such other points as shall be specially referred by the Court of Directors to their control

(32) Notwithstanding any doubt which may be entertained by the Presidencies to whom such orders or instructions shall be given, respecting the power of the Governor General and Council to give such orders, yet the Presidencies shall be bound to obey such orders in all cases whatever, except only where they shall have received positive orders from the Court of Directors, or from the Secret Committee, repugnant to the orders of the Governor-General and Council, and not known to the Governor-General and Council at the time of dispatching their orders

(34) And whereas to pursue schemes of conquest and extension of dominion in India, are measures repugnant to the wish, the honour, and policy of this nation, be it therefore further enacted, That it shall not be lawful for the Governor-General and Council without the express command of the Court of Directors, or of the Secret Committee, in any case (except where hostilities have actually been commenced, or preparations actually made for the commencement of hostilities against the British nation in India, or against some of the princes or states whose territories the Company shall be engaged by any subsisting treaty to defend or guarantee) either to declare war or commence hostilities, or enter into any treaty for making war, against any of the country princes or states in India, or any treaty for guaranteeing the possessions of any country, princes or states and in all cases where hostilities shall be commenced or treaty made, the Governor-

General and Council shall, by the most expeditious means they can devise, communicate the same unto the Court of Directors, together with a full state of the information upon which they shall have commenced such hostilities, or made such treaties, and their motives and reasons for the same at large

(35) It shall not be lawful for the Governors or Presidents and Councillors of Fort Saint George and Bombay, to issue any order for commencing hostilities or to negotiate any treaty with any Indian prince or state (except in cases of sudden emergency or imminent danger, when it shall appear dangerous to postpone such hostilities or treaty) unless in pursuance of express orders from the Governor-General and Council, or from the Court of Directors, or from the Secret Committee, and every such treaty shall, if possible, contain a clause for subjecting the same to the ratification or rejection of the Governor-General and Council of Fort William aforesaid

(36) Presidents and Councillors who shall wilfully refuse to pay due obedience to such orders and instructions as they shall receive from the Governor-General and Council of Fort William shall be liable to be suspended from the exercise of their offices by order of the Governor General and Council

(37 contains instructions to the Directors to deal with the Nawab of Arcot's debts, and 38 to deal with the disputes between the Nawab of Arcot and the Raja of Tanjore)

(39) And whereas complaints have prevailed, that divers rajas, *zemindars*, and other native landholders have been unjustly deprived of their lands jurisdictions, and privileges, or that the tribute, rents, and services required to be by them paid or performed for their possessions to the Company, are become grievous and oppressive And whereas the principles of justice and the honour of this country require that such complaints should be forthwith enquired into and fully investigated, and if founded in truth effectually redressed Be it therefore enacted, That the Court of Directors shall forthwith take the said matters into their serious consideration, and adopt such methods for enquiring into the truth of the complaints as they shall think best adapted for that purpose, and thereupon give orders to the several Governments and Presidencies in India, for effectually redressing in such manner as shall be consistent with justice and the laws and customs of the country, all injuries and wrongs which the rajas, *zemindars*, and other native landholders may have sustained, and for the

settling, upon principles of moderation and justice, according to the laws and constitution of India, the permanent rules by which their tributes, rents, and services shall be in future rendered and paid to the Company

(40) The Directors shall take into their immediate consideration the establishments, civil and military, of their settlements in India, and give orders for every practicable retrenchment, and shall also require full and particular lists of all the offices and employments on the civil establishment of the Company in India, and of all the forces in the pay or service of the Company, together with the opinions of the respective governments and Presidencies, what method or system can be adopted for introducing a just and laudable economy in every branch of the civil and military departments And the Court of Directors shall, as soon as may be, declare what offices, as well civil as military, will in their judgment be adequate to the support of the honour and dignity of this kingdom in the East Indies, and the safety, defence, and security of the British possessions there, and specify the rate of the salaries and emoluments to be hereafter allowed in respect thereof And the Court of Directors are hereby required, within fourteen days after the commencement of every session of parliament, to bring before the two houses of parliament a perfect list of all offices, places, and employments, in the civil and military establishments, with the salaries and emoluments belonging thereto

(41) Until the lists of the offices, places, and employments shall have been made the Court of Directors shall be prohibited from appointing or sending to India any new servant, civil or military, under the degrees of the Councillors and Commanders-in-Chief and after such lists shall have been perfected and established, the Court of Directors shall in no wise appoint or send out any greater number of persons to be cadets or writers, or in any other capacity, than will be actually necessary, in addition to the persons on the spot, to keep up the proper complement contained in the said lists

(42) From and after the commencement of this Act, all promotions as well civil as military, under the degrees of the respective Councillors and Commanders-in-Chief, shall be made according to seniority of appointment, in a regular progressive succession

(43) From and after the passing of this Act, no person shall be capable of being appointed by the Court of Directors to the

East Indies, in the capacity of a writer or cadet, whose age shall be under fifteen years, or shall exceed the age of twenty-two years

(44) All His Majesty's subjects are hereby declared to be amenable to all courts of justice (both in India and Great Britain) of competent jurisdiction to try offences committed in India, for all acts done in any of the territories of any native prince in the same manner as if the same had been done within the territories directly subject to the British government in India

(The whole remainder of the Act is devoted to elaborate provisions for the prevention and punishment of corruption, misgovernment or disobedience on the part of servants of the Company A few of the more striking clauses only are excerpted)

(45) The demanding or receiving of any sum of money, or other valuable thing as a gift by any British subject holding any office under His Majesty or the Company in the East Indies, shall be deemed to be extortion, and shall be proceeded against and punished as such

(52) And, for the remedying of the abuses which have prevailed in the collection of the revenues of the Company, be it further enacted, That every person (being a British born subject) who is authorised to collect the rents or revenues due to the Company, shall take and subscribe the following oath

(55) Every person in the service of the Company in India, shall, within the space of two calendar months after his returning to Great Britain, deliver in upon oath, before the Lord Chief Baron of His Majesty s Court of Exchequer in England, duplicates of an exact inventory of all real and personal property as well in Europe as in Asia, or elsewhere, which such person was possessed of, at the time of his arrival in Great Britain

(Clauses 56 62 relate to the stringent enforcement of this requirement, and impose severe penalties for evasion Clauses 64 82 provide in an extraordinarily elaborate way for the prosecution of servants of the Company for misdemeanours in India, especially by the establishment of a Commission of members of both Houses of Parliament to deal with such charges The procedure of this *Quaestio Repetundarum* is very minutely regulated)

(83) Provided always, That nothing herein contained shall prejudice the rights or claims of the public, or the Company, respecting the said territorial acquisitions and revenues

(84) And be it further enacted, That this Act shall take place and have commencement, in Great Britain, immediately after the same shall have received His Majesty's royal assent; and shall take place and have commencement, in the several Presidencies aforesaid, and in the territories thereunto belonging, from the first day of January, one thousand seven hundred and eighty-five

65 INDEPENDENT POWERS OF GOVERNORS, 1793

(33 George III Cap xxxii)

(The provision herein contained forms a sort of Appendix to the Act of 1784 The power of independent action which it confers on the Governor had been advocated by Warren Hastings (*see above*, No 39), and demanded by Cornwallis)

(10) And whereas it will tend greatly to the strength and security of the British possessions in India, and give energy, vigour and despatch to the measures and proceedings of the executive government within the respective presidencies, if the Governor-General of Fort William in Bengal, and the several Governors of Fort Saint George and Bombay, were vested with discretionary power of acting without the concurrence of their respective councils, or for daring to act according to their opinions in cases of high importance, thereby subjecting themselves personally to answer to their country for so acting, be it enacted, that when any measure shall be proposed whereby the interests of the Company, or the safety or tranquillity of the British possessions in India, may in the judgment of the Governor General, or of the said Governors respectively, be essentially affected, and the Governor-General, or such Governors respectively, shall be of opinion that it will be expedient either that the measure ought to be adopted or that the same ought to be suspended or wholly rejected, and the other members of such council shall dissent from such opinion, the Governor-General or such Governor, and the other members of the Council, shall forthwith mutually communicate in Council to each other, in writing, the reasons of their respective opinions, and if, after considering the same, the Governor and the other members of the Council shall retain their opinions, it shall be lawful for the Governor-General in the Supreme Council of Fort William, or either of the said Governors in their respective Councils, to make any order for suspending or rejecting the measure in part or in the whole,

or for adopting the measure, which order shall be signed as well by the Governor-General, or Governor, as by all the other members of the Council then present, and shall by virtue of this Act be as effectual as if all the other members had concurred

THE WAR WITH TIPU SAHIB AND THE TRIPLE ALLIANCE

Absolute non-intervention in Indian politics, such as was contemplated by § 34 of the Act of 1784, proved to be impossible Tipu Sahib of Mysore, who had been defeated with difficulty in 1781, made in 1789 an attack upon the Raja of Travancore, who was an ally of the Company He was undoubtedly encouraged in this by the isolation of the Company, and its abstention from the exercise of that influence among the Indian powers which Hastings had so firmly wielded Cornwallis was forced to recognise this "unavoidable inconvenience" of the "system of neutrality" (No 66) and in order to deal with Tipu effectively, had to make an alliance with the Mahrattas and the Nizam But in order to obtain their aid they had to be promised a guarantee against future vengeance from Tipu, and thus a Triple Alliance of the three powers, formally concluded at the end of the war (No 70), became (in spite of § 34) a definite factor in Indian politics Even with the aid of these allies Tipu was not easily overthrown (No 67), and when he was beaten, Cornwallis found it necessary, as a safeguard for the future, to annex part of his territory, the two allies taking equal shares (No 69) He hoped that the reduction of Tipu and the continued maintenance against him of the Triple Alliance would secure durable peace But no provision had been made against the event of war between the allies War between the Mahrattas and the Nizam broke out in the time of Cornwallis's successor, Sir John Shore[1] Faithful to the principle of non-intervention, Shore refused to protect the Nizam, with the results that he was completely defeated at Kurdla, 1795, and passed under Mahratta

[1] Afterwards Lord Teignmouth

control; that the power of the Mahrattas became more formidable than that of Tipu had ever been; and that the Nizam, and Tipu, and indeed all the states of India, lost all respect for and confidence in the British power In the state of Indian politics, non-intervention was proved to be an impossible and disastrous policy

66 THE NECESSITY OF A COMBINATION AGAINST TIPU

Earl Cornwallis to C W Malet, Esq[1]

Feb 28, 1790

Some considerable advantages have no doubt been experienced by the system of neutrality, which the Legislature required of the Government in this country, but it has at the same time been attended with the unavoidable inconvenience of our being constantly exposed to the necessity of commencing a war, *without having previously secured the assistance of* efficient Allies

The late outrageous infraction of the treaty of peace by Tipu, furnishes a case in point

We could not suffer the dominions of the Raja of Travancore, who was included by name as our Ally in that treaty, to be ravaged or insulted, without being justly charged with pusillanimity or a flagrant breach of faith, and without dishonouring ourselves by that means in the view of all the powers in India, and as we have been almost daily obliged for several years past, to declare to the Mahrattas and to the Nizam, that we were precluded from contracting any new engagements with them for affording them aid against the injustice or ambition of Tipu, I must acknowledge that we cannot claim as a right the performance of those promises which the Mahrattas have repeatedly made to co-operate with us, whenever we should be forced into a war with that Prince

My dependence upon the support of both those powers upon the present occasion is founded solely upon the expectation of their being guided by considerations of evident interest, to reduce the power of a Prince whose ambition knows no bounds, and from whom both of them have suffered numberless insults and injuries

[1] Representative of the Company at the Court of the Peshwa.

Notwithstanding these inducements to engage readily with us in the war, I conceive it very possible that the Mahrattas, in particular, will endeavour to extort unreasonable stipulations from us for their co-operation. But if Tipu shall receive no European support, it will be less necessary for us to comply with demands of that description as I trust that our own force will be sufficient to exact a full reparation from him for the violation of peace. I thought it right, in order to obtain the aid of the Mahrattas, to offer them a defensive alliance against Tipu, to which they would in reason and equity have a good title, if they were to take an active part with us, without having made such a previous engagement.

(*Cornwallis Correspondence*, i. 496.)

67. Slow Progress of the War

Earl Cornwallis to the Bishop of Lichfield and Coventry[1]

Camp near Bangalore,
July 13, 1791.

You will have heard that after beating Tipu's army, and driving him into the island of Seringapatam, I was obliged, by the famine which prevailed amongst our followers, by the sudden and astonishing mortality amongst our cattle, and by the unexpected obstacles to my forming a junction with General Abercromby, in time to attempt the enterprise before the rising of the river, to destroy my battering guns and to relinquish the attack on Seringapatam until the conclusion of the rains. Had the numerous Mahratta army, which joined me on the 26th of May unexpectedly and without my having received the smallest previous notice, arrived a fortnight sooner, our success would have been complete and the destruction of Tipu's power would have actually taken place. It is however much crippled, and if he should not propose during the present rains such terms as the Allies can reasonably accept, I trust we shall take such precautions as will render our next movement to Seringapatam effectual.

(*Cornwallis Correspondence* ii. 98.)

[1] His brother.

68 The Peace with Tipu

Earl Cornwallis to the Right Hon. Henry Dundas.

CAMP BEFORE SERINGAPATAM,
March 4, 1792

I have very great satisfaction in transmitting to you the enclosed copy of the Preliminaries of Peace, that were settled on the night of the 23rd February between the three confederate Powers and Tipu Sultan, to be laid before His Majesty

I request that you will be pleased to assure His Majesty, that although the formidable power of Tipu has been so much reduced by the event of a war into which we were forced by the ungovernable ambition and violence of his character, as to render it improbable that he can be able, for many years to come, to give any material disturbance to the British possessions in India, [1] yet that in the selection of the countries that are to be ceded to us, my primary object shall be to fix upon those districts, to the extent of our rights by the present treaty, that may be from local situation best calculated for giving us a strong defensive frontier against the future attacks of any Power whatever from above the Ghats [2]

(*Cornwallis Correspondence*, ii 153)

69 Territorial Acquisitions

Earl Cornwallis to the Court of Directors

CAMP IN MYSORE, *April* 5, 1792

By an inspection of the General Map, you will readily perceive that I have availed myself of our right of selection by demanding and obtaining for the Company's portion countries that are both strong in themselves, and peculiarly well calculated to form a barrier to your ancient possessions The districts ceded to us on the coast of Malabar, consist of the whole of the tract of country below the Ghats, and they are so fortunately situated, that it would be difficult, if not impossible, for Tipu or any future sovereign of Mysore to

[1] He did so within six years, see Chapter VI

[2] The Eastern and Western Ghats are the ranges of hills which run parallel with the eastern and western coasts of southern India Mysore occupied the southern half of the plateau between the two ranges, *i.e.* "above the Ghats," and it was important for the defence of the Carnatic to get control of the passes

disturb them. Palakachari commands the only road by which an army can approach them from the Carnatic side The only passes that lead into them from the Mysore country are from their belonging to our tributaries, in reality in our own possession

Dindigul constitutes a substantial protection to the southern provinces, and by the acquisition of the Baramahal, and of the Salem country, which gives us the command of all the passes of the Ghats to the northward of the Kaveri, we have obtained an effectual barrier to the Carnatic against all future invasions of the westward, and exclusive of the principal forts, which no power in India could take from us, and which an invading army could not pass without hazarding the loss of its supplies, there are a number of smaller forts in those districts, that, in case of a temporary irruption of a corps of cavalry, would be capable of affording great precaution to the persons and property of the inhabitants

(*Cornwallis Correspondence*, ii 538)

70 The Triple Alliance of 1792

Marquis Cornwallis to Sir C W Malet Bart

Fort William, *Aug* 20, 1792

The Allies are bound to guarantee against Tipu the territories that each of them might possess at the conclusion of the war, but the stipulation is merely defensive, and cannot operate unless Tipu should attack either of them without just provocation

It must therefore be clearly expressed in the treaty of guarantee, that in case any difference should arise between one of the latter and Tipu, the other Allies are to have a right to expect that the nature and circumstances of such difference shall be fully communicated to them, and endeavour to settle it by a temperate negotiation and that they shall not be considered as bound to take up arms in his favour, until they are convinced that he has justice on his side, and all means of conciliation shall have proved fruitless

Should a rupture become unavoidable the interest and safety of the contracting Powers will be so evidently and deeply involved in the event, that it would be highly injudicious in them to limit their exertions in endeavouring to bring it to a speedy and honourable conclusion, and it must

consequently be stipulated that the whole force of each State is to be employed for that purpose

(*Cornwallis Correspondence*, ii 177.)

THE PERMANENT SETTLEMENT OF BENGAL

The adjustment of the land revenue had been, ever since 1765, the greatest difficulty of the Company, and was regarded as the chief source of its misgovernment Under the Dual Government of 1765–72 it had led to much oppression Warren Hastings had at first tried to amend matters by letting out the revenue-collection to the highest bidder in each district, for a period of five years in order to give some security, and subject to the grant of *pottas* or agreements for the protection of the *ryots*, but he had subsequently decided that it was a mistake to displace the hereditary *zemindars* who, though not landlords, had a long traditional interest in the soil of their districts The Act of 1784 (§ 39) had laid it down that a careful enquiry should be carried out into the terms on which the "rajas, *zemindars*, and other native landholders" held their lands, and that permanent rules' should be laid down for the future The Act thus treated the *zemindars* as landholders, and anticipated the establishment of a permanent arrangement It was one of Cornwallis's main tasks to carry out this enquiry and readjustment The enquiry and assessment of the lands was carried out with extreme care by John Shore, afterwards Sir John Shore and Lord Teignmouth (No 71) Shore had been trained under Hastings He was Cornwallis's right-hand man throughout his Governorship, succeeded him in his office, and probably knew more about the land-system than any other of the Company's servants Shore's commission recommended a settlement which should secure the *zemindars* in the control of their areas for a period of ten years at a fixed rent subject to the grant of special *pottas* to the *ryots* The long period of the settlement would, it was believed, encourage the *zemindars* to develop the areas under their control, without denying to

government a right to participate in the future growth of the prosperity of the country Lord Cornwallis, however, desired to go much further Himself an English landlord, holding the characteristic English doctrine that an independent class of large landholders formed the main strength and backbone of a country, he was unable to understand a system wherein such a class was lacking, and insisted, even more definitely than the Act of 1784, upon regarding the *zemindars* not as mere revenue-agents for the state (which they had always been), but as landlords in the English sense In the teeth of all the facts, and in the face of Shore's arguments, he insisted on speaking of the *zemindars* as "lords of the soil" and "rightful owners of the land," in spite of the elementary facts that they paid rents and that they had always been liable to be displaced To displace them seemed to him merely a violation of the sacred rights of property Nay, even if the *zemindars* were proved *not* to be landlords, "it would be necessary for the public good to grant a right of property in the soil to them" This obstinate and narrowly English point of view finds expression throughout his voluminous despatches on the subject, from which some excerpts are printed in Nos 72 75 The result was that after several years' discussion the ten-years' settlement was in 1793 transferred into a *permanent* settlement (No 75), *i e* all future increments in the value of the soil of Bengal, due to growing population, increased trade, or the peace enjoyed under the protection of the Company's armies, were to go, without payment, to a class which was now, for the first time in Indian history, endowed with the inalienable lordship of the soil

Such was the Permanent Settlement of Bengal It has given rise to much controversy, but posterity has generally condemned it, and it has not been imitated in the provinces brought under British rule in more recent times Certainly Warren Hastings would never have assented to a system which deprived not merely the Government but the community for all time of very valuable rights, for the sole advantage of a small class which had no title to them, and had done nothing

to earn them Yet it is impossible to read Cornwallis's despatches on the subject without feeling that this honest, unimaginative man was entirely sincere, and was pursuing justice according to his lights

71 The Preliminary Enquiries

Earl Cornwallis to the Court of Directors

Aug 2, 1789

The future substantial interests of the Company, and the prosperity and happiness of millions of people, are so deeply concerned in the plan of settlement of land revenue of these provinces, that before I should proceed to execute the orders contained in your revenue letter, dated the 12th April, 1786, I thought it my indispensable duty to acquire every information in my power, and to give the whole subject the most mature consideration

Although Mr Shore's precarious health has frequently interrupted his exertions, I consider it as singularly fortunate that the public could profit from his great experience and uncommon abilities upon this important occasion His exertions were no less able than laborious in obtaining the materials that were necessary for arranging the principles on which the settlement of the province of Behar is proposed to be made There will probably be very little alteration in the principles of the plan that will be adopted for the settlement of Bengal, and after having given the subject much serious consideration, I think myself bound to declare my strongest conviction that the outlines of the plan now proposed, are well calculated to secure and even increase your revenues, and at the same time to raise the national reputation, by its giving a prospect of comfort and happiness to the natives of those valuable dominions, far beyond that which they have hitherto enjoyed under any other masters

(*Cornwallis Correspondence*, i 553)

72 The Claims of the Zemindars

Minute of the Governor General

Sept 18, 1789

In a country where the landlord has a permanent property in the soil it will be worth his while to improve that property, at

any rate he will make such an agreement with them (his tenants) as will prevent their destroying it But when the lord of the soil himself, the rightful owner of the land, is only to become the farmer for a lease of ten years, and if he is then to be exposed to the demand of a new rent, which may perhaps be dictated by ignorance or rapacity, what hopes can there be, I will not say of improvement, but of preventing desolation? Will it not be his interest, during the early part of that term, to extract from the estate every possible advantage for himself, and if any future hopes of a permanent settlement are then held out, to exhibit his lands at the end of it in a state of ruin? I am not only of opinion that the *zemindars* have the best right, but from being persuaded that nothing could be so ruinous to the public interest as that the land should be retained as the property of the Government, I am also convinced that, failing the claim of right of the *zemindars*, it would be necessary for the public good to grant a right of property in the soil to them, or to persons of other descriptions

It is the most effectual mode for promoting the general improvement of the country, which I look upon as the important object for our present consideration

I may safely assert that one-third of the Company's territory in Hindostan is now a jungle inhabited only by wild beasts Will a ten years' lease induce any proprietor to clear away that jungle, and encourage the *ryots* to come and cultivate his lands, or lose all hopes of deriving any benefit from his labour, for which perhaps by that time he will hardly be repaid?

It is for the interest of the State that the landed property should fall into the hands of the most frugal and thrifty class of people, who will improve their lands and protect the *ryots*, and thereby promote the general prosperity of the country

(*Cornwallis Correspondence*, i 561)

73 The Problem of Land-Revenue

Minute of the Governor General

Feb 10, 1790

Although Government has an undoubted right to collect a portion of the produce of the lands to supply the public exigencies, it cannot, consistent with the principles of justice and policy, assume to itself a right of making annual or periodical valuations of the lands, and taking the whole produce,

except such portion as it may think proper to relinquish to the proprietors for their maintenance, and for defraying the charges for managing their estates

The supreme power in every state must possess the right of taxing the subject agreeably to certain general rules, but the practice which has prevailed in this country for some time past of making frequent valuations of the lands, and where one person's estate has improved, and another's declined, of appropriating the increased produce of the former, to supply the deficiencies of the latter, is not taxation, but in fact a declaration that the property of the landholder is at the absolute disposal of Government Every man who is acquainted with the causes which operate to impoverish or enrich a country must be sensible that our Indian territories must continue to decline as long as the practice is adhered to

In raising a revenue to answer the public exigencies we ought to be careful to interfere as little as possible in those sources from which the wealth of the subject is derived

Agriculture is the principal source of the riches of Bengal, the cultivator of the soil furnishes most of the materials for its numerous manufactures In proportion as agriculture declines the quality of these materials must diminish, and the value of them increase, and consequently the manufactures must become dearer, and the demand for them be gradually lessened Improvement in agriculture will produce the opposite effects

The attention of Government ought therefore to be directed to render the assessment upon the lands as little burdensome as possible, this is to be accomplished only by fixing it The proprietor will then have some inducement to improve his lands, and as his profits will increase in proportion to his exertions, he will gradually become better able to discharge the public revenue

By reserving the collection of the internal duties on commerce, Government may at all times appropriate to itself a share of the accumulating wealth of its subjects without their being sensible of it The burden will also be more equally distributed, at present the whole weight rests upon the landholders and cultivators of the soil

(*Cornwallis Correspondence*, ii 468)

74 Causes of Agrarian Oppression

The Governor-General in Council to the Court of Directors.

Aug 25, 1792

The severities exercised by the landholders and farmers over their *ryots* and under-tenants have frequently been brought under your notice These oppressive practices had their origin under the native Government, and they have continued to exist, although in a much less degree, from the want of laws defining the nature and extent of the coercion which landowners and farmers of land are entitled to exercise over their *ryots* and under-renters to enforce payment of arrears From the silence or uncertainty of the existing laws on this point, many persons, availing themselves of the sanction of former usage, have recourse to the most oppressive means to compel the discharge of arrears, and often employ the same severities for the purposes of extortion, whilst others, doubtful what measures they may legally take to enforce payment from defaulters, and apprehensive of subjecting themselves to prosecution for oppression, refrain from all compulsion, and are often defrauded of their just dues These defects in the regulations tending to screen oppression and dishonesty on the one hand, and to discourage moderation and good faith on the other, and it being as essential to the prosperity of the country and the punctual collection of the public revenue that landholders and farmers of land should have the means of enforcing payment from defaulters without being obliged to have recourse to the courts of justice, and incurring the delay and expense necessarily attending a law process for the recovery of every arrear as that tenants and cultivators of the soil should be protected from oppression and unjust demands, we have passed the regulations transmitted to you, a separate number in the packet, which we trust will effect the important objects proposed to be obtained by them (*Cornwallis Correspondence*, ii 548)

75 Defence of the Permanent Settlement

The Governor General in Council to the Court of Directors

March 6, 1793

We think this a proper opportunity to observe that if at any future period the public exigencies should require an

addition to your resources, you must look for this addition in the increase of the general wealth and commerce of the country, and not in the augmentation of the tax upon the land. Although agriculture and commerce promote each other, yet in this country, more than in any other, agriculture must flourish before its commerce can become extensive The materials for all the most valuable manufactures are the produce of its own lands It follows therefore that the extent of its commerce must depend upon the encouragement given to agriculture, and that whatever tends to impede the latter destroys the two great sources of its wealth At present almost the whole of your revenue is raised upon the lands, and any attempt to participate with the landholders in the produce of the waste lands would (as we have said) operate to discourage their being brought into cultivation, and consequently prevent the augmentation of articles for manufacture or export The increase of cultivation (which nothing but permitting the landholders to reap the benefit of it can effect) will be productive of the opposite consequences

From the proceedings which we shall forward to you by the next despatch, you will find that we have anticipated your wishes respecting the *pottas*, to be granted by the landholders to the *ryots* It is with pleasure we acquaint you that throughout the greater part of the country specific agreements have been exchanged between the landholders and the *ryots*, and that where these writings have not been entered into, the landholders have bound themselves to prepare and deliver them by fixed periods We shall here only observe that under the new arrangements to which we shall presently advert, the *ryots* will always have it in their own power to compel an adherence to the agreements by an appeal to the courts of justice, whenever the landholders may attempt to infringe them

With respect to those landholders with whom a ten years' settlement has been concluded, the announcing to them that their *jamma* is fixed for ever, will not only incline them to pay their current revenue with cheerfulness, but add to their ability to discharge it by the credit which they will obtain from the increased value of their tenures On the other hand the declaration will not fail to render the few landholders who have not entered into engagements, eager to secure to themselves the same valuable rights and privileges

For the above reasons we should think it impolitic to delay

the declaration that you have empowered us to make, the announcing of which will, we are persuaded, be considered as the commencement of the area of improvement and prosperity in this country We shall likewise, to prevent any future misconception, expressly reserve to you the right of establishing and collecting any internal duties that you may hereafter think proper to impose We shall further declare (although a clause to that effect has been inserted in the engagements with the landholders) that you do not mean, by fixing the public demand upon the lands, to debar yourselves from the exercise of the right inherent in you as sovereigns of the country, of making such regulations as you may occasionally think proper for the protection of the *ryots* and inferior landholders, or other orders of people concerned in the cultivation of the lands (*Cornwallis Correspondence*, ii 559)

76 A Criticism of the Permanent Settlement

From a Minute by Sir Charles Metcalfe

There can be no doubt that the cultivation of Bengal must have greatly increased since the formation of the permanent settlement, but this is no proof that it would not have greatly increased, with good management under other modes of settlement Cultivation has greatly increased in the Western Provinces since they came into our possession, whether more or less proportionately in comparison with Bengal I have not the means of knowing, but the increase has been immense, and increase of revenue has accompanied it, which of course has not been the case in Bengal Taking into account the greater difficulties that cultivation has to contend with in the Western Provinces, I doubt whether it has not increased there as surprisingly in the same space of time as in Bengal The probability however, is, that cultivation will increase more under a permanent settlement than any other, although great increase may take place without it

But what was the price of the Permanent Settlement in Bengal? We not only relinquished the right of the Government to any further revenue from land, which was undoubtedly a great sacrifice, but what was much worse we destroyed all the existing property in land, by creating a class of proprietors to whom we recklessly made over the property of others By the power of adhesion existing in Indian institutions, it is

probable that in many instances the ancient rights have not been entirely overthrown The new proprietors may have found it their interest to maintain them to a certain degree But they are virtually destroyed by the title of property over the whole land conferred by us on those who had no pretensions to it, and they must ultimately be extinguished when it suits the interests of the regulation proprietors to give the finishing blow

The Board, in their admiration of the Bengal permanent settlement, designate the noble author of that measure "the great creator of private property in land in India" Private property in land in India existed long before Lord Cornwallis,[1] and his permanent settlement tended to destroy it If I were tempted, in imitation of the Board, to designate that revered gentleman, with reference to that measure, by any other title than that by which he is immortalised in the annals of his country, I should say, with the fullest respect for his benevolent intentions, which never contemplated the injustice that he committed, that he was the creator of private property in the State revenue and the great destroyer of the private property in land in India, destroying hundreds or thousands of proprietors for every one that he gratuitously created

(*Selections from the Papers of Lord Metcalfe*, 253)

ADMINISTRATIVE AND JUDICIAL REFORMS

The most permanently valuable part of Cornwallis's work was the series of administrative and judicial changes which he carried out at intervals during his governorship These included (1) the establishment of adequate salaries for the Company's servants, consisting partly of fixed payments and partly of commissions (Nos 77, 78), (2) a reform of the system of criminal jurisdiction, which was now transferred to British control (No 78), (3) the final separation of civil jurisdiction from revenue administration (No 79), and (4) the establishment of an elaborate system of local courts (No 79) Cornwallis does not, however, deserve all the credit that has sometimes been attributed to him for these reforms, he only carried a little further schemes that had previously

[1] Metcalfe is thinking of the village communities.

been worked out by Hastings (see especially No 55) Hastings had already abolished perquisites among the servants, and increased their salaries by means of a commission, he had already brought *faujdari* or criminal jurisdiction under the control of British officers, he had already begun the separation of revenue from judicial work, and he had already provided for "the addition of new courts of justice, distributed at equal distances throughout the provinces" All that Cornwallis did was to develop and complete a scheme of reform which in all its main features was due to Hastings But in his despatches on these subjects he never mentions Hastings's name

There was still much work to be done in the improvement of the system But from this time wholesale charges of corruption and oppression against the Company's servants are never heard, and the reputation for clean and upright government which the Company had now earned made it possible for it to set forth upon the career of conquest to be described in the next chapter

Sir John Shore, who succeeded Lord Cornwallis (1794–97), was an able and honest administrator, trained in the school of Hastings He had worked intimately with Cornwallis, and admired him much Shore's government is noteworthy only for the working out of Cornwallis's reforms (No 80), and for the disastrous application of the doctrine of non-intervention already alluded to

77 The Remuneration of Collectors

The Governor General in Council to the Court of Directors

July 31, 1787

In the 70th paragraph of your General Instructions of the 12th April 1786,[1] you were pleased to approve the idea generally suggested, of paying the servants employed in the collection of the revenues partly by a salary and partly by commission

[1] Instructions to Lord Cornwallis on assuming the office of Governor General.

In carrying these instructions into execution, we have not strictly conformed to the letter of them for reasons which we doubt not you will approve, and which we have now the honour to explain

The rates of the commission are particularly detailed in the proceedings referred to You will observe that the whole will fall rather short of 1 per cent on the actual collections, and we estimate the amount of it at about 2,44,000 rupees[1] per annum, to be divided in different proportions amongst the several officers employed in the collections The largest possible amount receivable by any collector will not exceed the sum of 27,500[2] rupees per annum

When you consider the situations of your servants in this country, the very high responsibility now more particularly annexed to the office of a collector, the temptations of the situation, the incessant labours of his office, and the zeal which must be excited to promote the prosperity of the revenues and country at large—when on the other hand, you advert to the solemn restrictions imposed upon him by the Legislature, as well as those in the Public Regulations and the separate orders already noticed absolutely precluding him from any emoluments whatever, excepting such as are publicly allowed—and when you are further pleased to consider, that excepting instances of extraordinary merit, your servants cannot in future expect to obtain the office of a collector under a period of twelve years spent in your service—we trust that we shall be found to have consulted your true interests with every compatible attention to economy and that you will approve the allowances and commission fixed by us for your servants in the revenue department

(*Cornwallis Correspondence*, i 277)

78 Criminal Justice and the Remuneration of the Judges

Earl Cornwallis to the Court of Directors

Aug 2, 1789.

The system for the administration of criminal justice under the direction of a *Naib Nazim* has long attracted my serious attention, and is in my opinion in a most exceptionable state.

I am sufficiently sensible that great caution will be necessary

[1] £24,400 [2] £2750.

in endeavouring to reform so delicate a branch of the civil Government, but I feel myself called upon by the principles of humanity, and a regard for the honour and interest of the Company and the nation, not to leave this Government without endeavouring to take measures to prevent in future, on one hand, the cruel punishments of mutilation, which are frequently inflicted by the Mahomedan law, and on the other to restrain the spirit of corruption which so generally prevails in native courts, and by which wealthy offenders are generally enabled to purchase impunity for the most atrocious crimes

I conceive that it will be indispensable for the good government of this country, that there should be general jail-deliveries once or twice a year, and that two or three respectable Company's servants should be selected to act as superintendents of the criminal trials, which may be conducted under their inspection, by native judges, with the assistance of learned *Maulvis* and *Pundits*, in strict conformity to the laws and customs of Hindostan

The salaries ought to be liberal, as upon the general principles that have been already applied to the arrangements of the other departments, the income of the superintendents should be limited to fixed and open allowances, without receiving any perquisite whatever

It is neither your expectation nor would it be possible, to obtain the services of men of experience, ability, and character, in this climate, where a continuation of health is so precarious, without granting them rewards in some shape sufficiently liberal to enable them to live in a decent and comfortable manner, and to make such annual savings as to give them a prospect of being able in a moderate number of years to return to spend the latter part of their days in easy circumstances at home

The generality of men would prefer making such a fortune by means the most open and avowed, and no mode can be more honourable than that of annual savings from an established public salary

When the allowed salaries are evidently inadequate to the above purposes, and in a country where your principal servants are surrounded with temptations, it could not easily be denied that it seemed to be expected, though not regularly sanctioned by Government, that they should look to some other sources of income, and in the pursuit of unauthorised gain by individuals in this country the public finances have often suffered

great injury, and the poor natives in many instances very cruel oppressions

The toleration of perquisites is likewise detrimental to the discipline of the service, for even when there is only an implied permission to take them, it is not easy to punish abuses, as after a beginning is suffered, distinct limits are with difficulty prescribed for the practice, but when liberal salaries are allowed and accepted as a complete compensation for services a Government can, without scruple, disgrace and remove from their offices all those servants who shall be detected in deviation from the straight line of private honour and of public duty (*Cornwallis Correspondence*, i 555)

79 New System of Local Jurisdiction

Governor General to Court of Directors

March 6, 1793

In this country, as in every other, security of property must be established by a system upheld by its inherent principles, and not by the men who are to have the occasional conduct of it The body of the people must feel and be satisfied of this security before industry will exert itself, or the moneyed men embark their capitals in agricultural or commercial speculations There are certain powers and functions which can never be vested in the same officers without destroying all confidence in the protection of the laws This remark is particularly applicable to the various functions vested in the present collectors All causes relating to the rights of the several descriptions of landholders and cultivators of the soil, and all claims arising between them and their securities, have been excepted from the cognisance of the regular courts of justice, and made exclusively cognisable by the collector of the revenue Where the power to redress oppressions and functions that must always have a tendency to promote or screen the commission of them, are united in the same person, a strict adherence to the principles of justice cannot be expected and still less can it be hoped that the people will feel a confidence of obtaining justice Upon these and other grounds we resolved to abolish the Revenue Courts and to withdraw from the Board of the Revenue and the collectors all judicial powers, thereby confining their duties and functions to the mere collection of the public dues, and to transfer the

cognisance of the causes hitherto tried in these courts to the courts of justice

Courts of justice are to be continued in each collectorship as heretofore, which are to be denominated *Zilla* or District Courts, and the judge thereof is to have cognisance over civil causes of all descriptions that may arise in his jurisdiction, whether of the nature of those termed revenue causes, and hitherto tried in the Revenue Courts, or of the description of those which have been cognisable in the courts of *Diwani Adalat* We have resolved, likewise, that the collectors of revenue and their officers, and indeed all the officers of Government, shall be amenable to the courts for acts done in their official capacities, and that Government itself, in cases in which it may be a party with its subjects in matters of property, shall submit its rights to be tried in these courts under the existing laws and regulations That these courts may have complete authority over all persons residing in their jurisdictions, and that natives may be able to procure redress against Europeans with the same facility as the latter can obtain it against the former, we have determined that no British subject (excepting King's officers and the civil and the military covenanted servants of the Company) shall be allowed to reside beyond the limits of Calcutta, without entering into a bond to make himself amenable to the court of justice of the district in which he may be desirous of taking up his abode, in all civil causes that may be instituted against him by natives The judges of these courts are also to be vested with the powers of magistrates to preserve the peace, and to apprehend and commit offenders to take their trials before the Courts of Circuit

We have likewise resolved to establish four provincial Courts of Appeal at the cities of Patna, Dacca, Murshidabad, and Calcutta, each of these courts to be superintended by three judges, an appeal to lie to them in all cases whatsoever from the decisions of the *Zilla* or District and the City Courts within their respective jurisdictions

(*Cornwallis Correspondence*, i 559)

80 The Establishment of the New System

Sir John Shore to Bensley

December, 1794

But what has occupied so large a portion of my time, is, giving currency to the Regulations of my predecessor, and

stability to the arrangements formed by him I am happy to reflect that my attention to these points has not been unsuccessful, and that his plans are fairly and usefully administered He advanced with a confidence which I should have wanted, but he advanced wisely With a little more previous preparation, the execution of his arrangements would have been easier but that difficulty is now surmounted, and the Judicial System proceeds well People who reason from former practice and experience only, rather than from principles, have objected to his arrangements, but the principles are just, and although the practice was not familiar to the natives, they have accommodated themselves to it But we are to remember that the race which existed when we acquired the government of the country have nearly died away, and that the new generation will adopt the practices and principles of Administration and grow familiar to them Two objections of importance only occur to the arrangements—the additional business imposed upon the Supreme Authority, and the difficulty of finding a sufficient number of able officers for the execution of them

(*Teignmouth's Life and Correspondence*, i 309)

81 The Industry and Purity of the Service

Shore to Inglis, 1794

When you were in Bengal, the business was transacted between the hours of nine and two At present, the interval of occupation, in almost every department, is between seven and four, and I doubt if there is more regularity in any Government in the world and I will venture to say there is as little peculation, or sinister emoluments In this respect, the reform is not only considerable, but visible Our present system is an effectual war to those intrigues which affected the Commerce, the Revenues, and every branch of the Public Administration A dishonest Government, however, in one year, might undo the labours of the last eight years

(*Teignmouth's Life and Correspondence*, i 329)

CHAPTER VI

THE COMPANY BECOMES PARAMOUNT POWER IN INDIA

Wellesley

1798–1806

THE Governor-Generalship of the Marquess Wellesley represents a very important stage in the development of the British power a stage which has been summarised in the phrase that under his direction the British Empire *in* India was transformed into the British Empire *of* India The period of Clive had seen the Company of traders become king-makers in two regions, Bengal and the Carnatic, but as yet without any desire to assume the responsibilities of territorial sovereignty After an interval of very ineffective dual government, direct responsibility for the government of Bengal had been assumed under Warren Hastings, and the immensely difficult task of organising a just and efficient system had been begun by Hastings himself, and by the British Parliament in the Act of 1773 The Act of 1784 and the reforms of Cornwallis had carried this development further, and the British territories had come to be, beyond all comparison, the most justly and firmly governed state in India, capable of dealing on more than equal terms with any Indian power or combination of powers One great state, Oudh, had been brought into a condition of vassalage, another, that of the Nizam, was ready to enter into such a condition as a means of protection against its neighbours, as soon as the Company was willing, and the Carnatic had been a vassal state since 1753 But the direct

territorial authority of the Company was still almost limited to Bengal There had been no important acquisition of territory, except Benares in 1775 and the districts taken from Mysore by Cornwallis The Company was anxious that there should be no further acquisitions and no further assumption of responsibility for the protection of vassal states Their representatives were instructed to avoid intervention in Indian politics The Act of 1784 itself had laid it down (§ 34) that "to pursue schemes of conquest and extension of dominion in India are (*sic*) measures repugnant to the wish, honour, and policy of this nation"

But circumstances made this policy of restraint impracticable The British power in India, in the midst of States which were in a perpetual unrest, must fight in self-defence if not in aggression, and found that it was faced by the alternative of expansion or destruction Lord Cornwallis, sent out to give effect to the policy of quiescence and sincerely believing in it, had nevertheless found himself forced into a war with Tipu Sahib, and into the annexation of territories as a safeguard against future attack He made a permanent defensive alliance with the Nizam and the Mahrattas, and hoped by this means to establish peace But in the time of his successor, Sir John Shore, one of the Allies, the Nizam, was attacked by the other the Mahrattas Shore, honestly anxious to carry out the policy of the Directors decided that the Company was not required to intervene The result was a collapse of British prestige, and the creation of a very dangerous situation The Nizam was completely defeated and reduced to vassalage by the Mahrattas Indignant at what he considered the Company's betrayal, he welcomed French officers to organise an army for him Tipu, thirsting for revenge, was already in open negotiations with the French The Mahrattas, who saw the supremacy over all India within their reach, and regarded the Company as their chief obstacle, also obtained the aid of French officers, since they realised that European military methods were essential for success The French republic had entered upon its career of conquest, and was bent

upon recovering the position in India which the Bourbon monarchy had lost, and Bonaparte was in Egypt Thus non-intervention and abstention from "schemes of conquest" had brought about a situation of extreme danger

This was the situation with which the Marquess Wellesley was faced when he landed in India in 1798 All his actions can be treated as defensive measures against this danger But to do so would not be quite honest Wellesley, in fact, was convinced that the only permanent security lay in boldness, and that if the Company was to remain in India it must become the paramount power He achieved this grandiose design almost completely in a very few years Within four years of his landing, Tipu had been defeated and killed, half of his territory was under British administration, and the remainder, under an old dynasty restored, was brought under the effective protectorate of the Company, the Nizam had willingly accepted a treaty which made him definitely a British vassal, the whole of the Carnatic had been brought under direct British rule, and the Company was the paramount power throughout Southern India In the Ganges valley also a new treaty, imposed upon Oudh, brought half of the territory of that state under direct British rule, and reduced the remainder to a more complete dependence than ever South-east of the Sutlej and the Indus there remained only the great Mahratta confederacy Wellesley very nearly succeeded in reducing it to a similar subjection, and did succeed in breaking up its unity and imposing an English protectorate upon some of its principal members

The Mahrattas are a clearly-marked race, with a language of their own, as Arthur Wellesley acutely observed, theirs was the only Indian power which was strengthened by a national sentiment In religion they were Hindus, holding the same faith as the vast majority of the population of India, and this fact in part accounts for the rapidity with which their power grew, before their rise all the greater powers of India were Mahomedan The race spread over a wide area in western and central India, but the heart of it was the rough

country of the Western Ghats, behind Bombay. Here, in the second half of the seventeenth century, the founder of Mahratta greatness, Sivaji, held his own against the last great Mogul emperor, Aurangzib When the Mogul empire collapsed, after the death of Aurangzib in 1707 and the sack of Delhi by Nadir Shah, the Mahrattas made a bold bid to be its inheritors Their raiding hosts of light horsemen spread over all India. They brought under their direct rule the territory northwards almost as far as Delhi, and eastwards to the Bay of Bengal, while all the rulers of the Ganges valley and southern India were forced to pay them *chauth*, a sort of tribute or blackmail. Their severe defeat by the Afghans at Panipat in 1761 (just when the English were establishing themselves in Bengal) perhaps alone prevented them from achieving the dominion of all India But they quickly recovered, and in 1771 (as we have seen) got control of Delhi and the person and influence of the Mogul who may be described as the symbol of Indian supremacy The fall of the power of Mysore removed one obstacle to their supremacy, and they had eagerly accepted Cornwallis's invitation to help in bringing it about The only serious obstacle remaining was the English Company, which seemed to have shown, by its failure to protect the Nizam in 1795, that it could safely be neglected With French aid the Mahrattas might hope to deal on equal terms with the British power, and the real question for India in those years was, whether the supreme power was to be British or Mahratta There was no third alternative

But the great weakness of the Mahrattas was, that they had never shown any capacity to develop an efficient and just system of government Their rule was purely arbitrary, like that which it replaced, they did not try to create an impartial and unvarying administration of justice, such as forms the essential foundation of healthy political life Their rule brought to their subjects only a change of tribute-receiving masters, and the provinces which paid *chauth* to them got nothing in return On the other hand their British rivals, after many initial abuses, had established the reign of law,

a new thing in India; had given peace and justice to the provinces which they ruled; and were endeavouring to act on the principle that the interests of the ruled, not the arbitrary will of the master, must be the supreme consideration of a government For these reasons the victory of the Company was the best thing for India, since it would bring law and order, while the victory of the Mahrattas, as things then were, could only have brought a prolongation of war and anarchy Their victory would have been immediately followed by a struggle for supremacy among the chief princes of their confederacy

For as the Mahrattas had developed no efficient system of government, their central authority had never been secure of the obedience of its greater subjects, and the more the Empire grew, the greater became the independence of the captains of the great war-bands, by whom new conquests were mainly won The titular head of the confederacy, the Raja of Sattara, descendant of Sivaji, was a state prisoner, and all his power was exercised by his hereditary prime minister, the Peshwa, ruling from Poona The Peshwa was fairly well obeyed by the feudatories of the southern Mahratta country, known as the Southern *Jaghirdars*, but four great hereditary chieftains, who held sway in the non-Mahratta regions of the Empire, obeyed him only when it suited them These were the Gaekwar of Baroda, in the west (the weakest of the four), the families of Sindhia and Holkar in the north, and the family of Bhonsla, related to Sivaji, who ruled from Nagpur the huge area now known as the Central Provinces, and were called Rajas of Nagpur or Berar It is needless to relate the endless and confused rivalries of these princes Warren Hastings had known how to turn them to advantage, and the skill with which Wellesley used them is very clearly set forth in the documents which follow

Wellesley's general idea was to treat the Peshwa and each of the great Mahratta chieftains as separate and independent powers, that is to say, to break up the confederacy He aimed at drawing clear lines of demarcation between their

territories and claims, and at abolishing the vague Mahratta claims over the territories of other Indian princes who were under the protection of the Company, notably the Nizam Circumstances helped him The Gaekwar of Baroda and the Peshwa were both led, by their own weakness, to apply for English protection, and both accepted treaties of subsidiary alliance If these held good, the Mahratta confederacy was broken up The other Mahratta princes realised this, and war followed Wellesley was blamed for having needlessly precipitated this war His defence (very cogently set forth below by his brother) was that a war between the Company and the Mahrattas was inevitable, and that it was now fought under exceptionally favourable conditions Sindhia and Bhonsla were defeated by the brilliant campaigns of Arthur Wellesley and Lake They were forced to abandon some territory to the Company and to its ally the Nizam They were compelled to withdraw their claim to suzerainty over the Rajput and other princes of the north-west They yielded their recognition to the Peshwa's subsidiary alliance with the Company Above all, Delhi and the Mogul, the symbols of Indian supremacy, passed finally under British control The Mahratta struggle was not yet over Holkar, the only one of the chieftains who had as yet stood aloof, made war against the Company He would easily have been defeated, but a check which he inflicted on a British flying column under Colonel Monson gave an excuse to the Directors for recalling the Governor-General, whose schemes of conquest terrified them, and whom they would have recalled long before but that they were hypnotised by his unbroken successes and his haughty method of dealing with them The subjugation of the Mahrattas was not completed, and had to be, in part, done over again by Lord Hastings (see Chapter VII) But the possibility of their establishing a dominion over all India was gone for ever, and the Company had become by 1805 the indubitable paramount power of India, the inheritor of the Mogul Empire

Such was the remarkable work of eight years We are

fortunate in possessing an exceptionally clear and forcible analysis of it, from the pen of Wellesley's more famous brother, the Duke of Wellington, who had a large share in the work, both as general and administrator His narrative (No 82) forms the bulk of the present chapter, but we have added the treaty with Mysore (No 83), as an example of the protectorate treaties which formed so important an instrument in Wellesley's hands, and the Treaty of Bassein with the Peshwa (No 84), by which the Mahratta confederacy was in effect broken up and its principal member came under the Company's suzerainty We print also parts of a speech of the Governor-General, in which, at the end of his first Mahratta war, he describes the advantages that had been secured and the aims by which he was guided (No 85)

Wellesley was not only a conqueror He made real contributions to that development of the British system of government which had been begun by Warren Hastings and carried further by Cornwallis, and without which the achievement of paramountcy would have been neither possible nor justifiable Some account of these reforms is given in an excerpt from one of his Dispatches (No 86)

82 THE MARQUESS WELLESLEY'S GOVERNMENT OF INDIA

By the DUKE OF WELLINGTON

(The following narrative was written in 1806 The Duke (then Sir Arthur Wellesley) was the younger brother of the Governor General, had been his right hand man throughout the whole period of his governorship, and had in particular established his reputation as a general by the great victory of Assaye The narrative has necessarily been abbreviated. For convenience of reference it has been broken by the editor into sections, with sub headings)

In order to understand the merits or demerits of Marquess Wellesley's government in India, it is necessary to review the state of that country when his Lordship assumed its government in May 1798, and that in which it was left in April 1806,[1] which was the close of the official year in which Marquess Wellesley resigned the government

[1] This part of the Duke's programme was not fulfilled His essay was broken off abruptly before the war with Holkar, and remains incomplete

1. *The State of India in* 1798

The first intelligence which reached Marquess Wellesley upon his arrival in India, was that the ancient Native enemy of the Company [1] had formed an alliance with the French at Mauritius, for the purpose of attacking the British nation in India, and that, in consequence of this alliance, a body of Frenchmen had already been landed at the port of Mangalore on the coast of Malabar, and had marched to Seringapatam Shortly after the receipt of this intelligence, it was known in India that Buonaparte, with a large French army, had landed and taken possession of Egypt, and that the avowed object of this expedition was to invade India by that route

The Company's armies, although in a high state of discipline, were not in a state of preparation and efficiency to perform the operations which the crisis of the Company's affairs was likely to require from them The Commander-in-Chief and Adjutant-General of Fort St George [2] reported that six months would be required to prepare for service the army serving under that Presidency, upon which the brunt of the contest was likely to fall The army of Bombay was necessarily scattered in the disaffected provinces under the government of Bombay, and the army of Bengal was stationed principally in the Vizier's territories, with a view to keeping them in tranquillity, and to defend them from the expected invasion of the King of Kabul [3]

Those powers on whom experience of former wars with Tipu had shown that the Company ought to rely for assistance were the Nizam, the Peshwa, the Nawab of the Carnatic, and the petty rajas and *zemindars* on the coast of Malabar Since the peace of 1792 with Tipu, which had attained the object of the alliance between the first two and the Company, the situation of these powers has been considerably changed The Nizam, by the result of an unfortunate state of hostility with the Mahrattas, which ended in battle, and a peace, or rather capitulation, concluded at Kurdla in the year 1795, had fallen from the state of a great and leading power in Hindustan to that of a tributary to the Mahrattas His ministers were appointed by the Mahrattas, his army was disbanded, and the only support of his authority was a corps

[1] Tipu Sahib of Mysore [2] Madras
[3] Zeman Shah, from whom an attack was constantly feared during this period.

consisting of about 14,000 men, trained, disciplined, and commanded by French officers These officers had possession of a considerable portion of the Nizam's territories, from the revenues of which they were to pay their troops, and they were becoming a French state in the peninsula of India By their power and violence they overawed the Nizam's councils, and precluded all hope of his co-operation in the war which was expected with Tipu and his French allies in the year 1798

The Mahratta government of Poona, which had afforded such material assistance to the British government in the war which had ended in 1792 by the treaty of Seringapatam, was become equally incapable with the Nizam of affording any aid in that which was expected in 1798 After the peace of Kurdla in 1795, the Peshwa, Mahdu Rao Narain, threw himself from a window in his palace at Poona, and died upon the spot A contest then ensued for the possession of the power of that government, in which all the principal Mahratta chiefs were engaged, and which, having lasted with various success during the years 1796 and 1797, had ended by placing all the power at Poona in the hands of Daulat Rao Sindhia

In 1798 this power was but feebly established, and would have been unequal to the exertion to be made in the expected contest with Tipu, even if it could be supposed that Sindhia's policy would have led him to enter into it But when that chief became the sole head of the Mahrattas, his policy would have led him to support Tipu rather than the English in the impending contest He must have been aware that, with respect to him, the English were the most formidable of the two powers, and that his objects would have been forwarded by their defeat Besides this, Sindhia's principal force consisted in a body of infantry, raised, disciplined, and commanded by French officers, and although the influence of these officers over the government of Sindhia was by no means of the description of that exercised by those in the service of the Nizam over the government of that prince it was still sufficiently strong to prevent Sindhia from adopting a measure which was contrary to his obvious policy

Thus, then, nothing was to be expected from the two powers which had been the principal allies of the Company in the former war with Tipu, and as the French were likely to be actively and personally engaged in this expected war, it was to be apprehended that they would derive assistance from the force commanded by Frenchmen in the service of those

powers who had formerly been considered as the firm allies of the British government

Since the peace of 1792 the Nawab Mahomed Ali of the Carnatic had died, and had been succeeded by his son, Omdal ul Omra This prince, who was very unpopular in his territories, showed every disposition to impede rather than to forward the operations of the British army He gave them no assistance, and it was afterwards found at Seringapatam that he was in correspondence with the Company's enemy

As for the Rajas of Malabar, they (with the exception of the Raja of Koorg) had been in a state of hostility with the Company from the conclusion of the Peace of 1792 till the year 1798, and had kept a considerable proportion of the Bombay army in constant hostile operations against them No assistance was to be expected from them, but, on the contrary, everything which was in their power to annoy and harass the army and to aid the enemy

Add to this representation of the state of our affairs in India at this period, that a revolution had just been effected in Oudh by Lord Teignmouth [1], that the government of the reigning Prince Saadat Ali was most unpopular, and by no means firmly established throughout the country, that his army was mutinous and disaffected, that an invasion of his country was expected from Zeman Shah, the King of Kabul, against which it was necessary to provide by the assembly of a large force in Oudh, and that such was the state of mutiny and disaffection of the Nawab's troops, that His Highness could not trust to them the guard of his person but was obliged to call for British troops

Another circumstance which embarrassed government in India at all times, and was a considerable source of embarrassment at the period under consideration, was the nature and state of the alliances between the British government and its dependent and tributary states

These alliances had always been formed in a moment of extreme weakness, and generally after the Native and dependent state had been conquered The principal stipulation was uniformly protection by the British government, in consideration of subsidy to be paid by the Native state, and in other respects the Native state was declared or was considered to be independent in the management of all its internal concerns

The Native states having in every instance contracted these

[1] Sir John Shore, the outgoing Governor General

alliances in a moment of weakness, in which, of course, all the powers of their government were paralysed, they have invariably been under the necessity of calling for the assistance of the British protecting government for the support of their authority in the management of their internal concerns

The system of government in India, the foundations of authority, and the modes of supporting it and of carrying on the operations of the government, are entirely different from the systems and modes adopted in Europe for the same purpose

The foundation and the instrument of all power there is the sword, and when these alliances have been formed, the sword, or in other words, the army of the East India Company, became the only support and the only efficient instrument of authority of the protected Native states

This position of affairs, which was the result of the principle of government long established in the East, and of the weakness of the Native state, was attended by a stipulation in some cases, or an understanding in others, that the Native state should be *independent* in all the operations of its internal government, and at the very moment in which this stipulation was made, the interference of the British government was required, and all the internal concerns of the Native state submitted to its judgment, in order that its agents might see whether the cases in which its interference was called for were of a nature to justify it

Here then, the door was necessarily opened to the interference of the British government in every concern, and the result was increased weakness in the Native state, jealousy of this interference, and disunion bordering upon treachery

These evils had long appeared to require a remedy, and they must have been felt particularly at the moment in which the British government was likely to be involved in a most extensive warfare with the most formidable of the Native powers, assisted by the French

This having been the state of India at the time Marquess Wellesley assumed the government in the year 1798 the measures adopted to apply a remedy to the evils which existed will form an epitome of the history of his Lordship's administration I shall detail them in that order which is most likely to make them clear to the understandings of those who will read this paper.

ii *The Alliance against Tipu and his Overthrow*

The objects which pressed most upon his Lordship's attention in May and June, 1798, were to place the army of Fort St George in a situation to resist the expected hostility of the enemy, to relieve the finances from the difficulties under which they laboured and to bring back the allies of the Company to the state in which they had been left by the peace at Seringapatam in 1792 so that the allies might be able to render the assistance in the war which they were capable of affording

The army of Fort St George was reinforced by European troops from Bengal and preparatory measures were adopted to enable government to reinforce it still further with Native troops, when the most favourable season for transporting them by sea should come round

But the principal measure of those days that which gave a turn to the state of the Company's affairs in India, and to the general sentiment of the people of that country respecting the British government, was the negotiation at Hyderabad, which ended by the substitution of a British for a French force at the capital of the Nizam

The object of the negotiation was to prevail upon His Highness to perform the defensive treaty of Hyderabad, 1st September 1798,[1] and as it appeared that His Highness was unable to perform it on account of the power which the French officers and their faction had over his councils it was proposed to His Highness that he should dismiss them and their troops from his service for ever and an offer was made to supply British troops to enable His Highness to accomplish this object and to remain thereafter at Hyderabad as substitutes for the troops under the command of the French officers

A treaty was concluded on this basis with the utmost secrecy and dispatch and a body of British troops entered the Nizam's territories and had made some marches towards Hyderabad before the French officers were aware of their fate This body of troops, having joined those already at Hyderabad performed the service on which they were sent without bloodshed, and the Nizam was thus restored to the power of performing his defensive engagements with the

[1] This must be a slip The Duke was probably thinking of Cornwallis's Defensive Alliance of 1792

Company, and one of the great and fruitful sources of the evils impending over us in 1798, which has been already described, was removed by a timely, well-contrived, and able exercise of the power of the British government

This negotiation at Hyderabad was accompanied by another at Poona, with a view to the same objects But this failed, for reasons which will be reviewed hereafter In the course of this negotiation all the circumstances attending that carrying on at Hyderabad were described to the Peshwa, with a view to prevent the jealousy which might otherwise have been expected upon the renewal of the ancient alliance between the Company and the Nizam

After one of the principal allies of the British government had thus been placed in a situation to be enabled to perform his treaty of alliance, a negotiation was opened with Tipu Sultan, the object of which was to bring that Prince to an early decision, whether he should be at peace or at war with the Company It was obvious that the assistance which he had hitherto received from his allies, the French, was small in comparison with that which he might expect from them, and that it was not of an extent and description to be very formidable to the British government, particularly as its alliance with the Nizam had been renewed, and the source of danger in that quarter had been removed All that was required from Tipu therefore, was a renunciation of this offensive alliance .

These negotiations were attended by military preparations

The wisdom of these early preparations was soon proved, for on the very day that Tipu after a delay of some weeks beyond the period fixed for his answer to the remonstrance of the British government despatched his answer, and desired that a British officer might be sent to negotiate with him, he commenced his march to attack the Bombay army, which was assembled in the territories of the Raja of Koorg

In this review of the measures of Marquess Wellesley's government, it is not intended to detail the movements or the actions of the different armies The result of the well-prepared and well-combined operations of the war against Tipu was the capture of his capital, with all his arsenals treasure, etc , his own death, on the 4th May 1799, and the subsequent reduction and submission of all his territories to the allied governments

iii *The Rearrangement of Tipu's Lands.*

The army of the Nizam, with the subsidiary force as formed by the late Treaty of 1798, co-operated in this war with the British army, and His Highness's government shared equally with the British government in the advantages arising from its successful termination The territories of the Company were increased by the addition of those belonging to Tipu, situated upon the sea coast of Malabar, and those which gave possession of important military positions The Nizam received an equivalent, contiguous to his frontier, and a portion was reserved for the Peshwa to be given on the condition that His Highness should become a party to the alliance between the other governments and should accede to certain stipulations which were proposed to him and which will be discussed in a subsequent part of this paper His Highness having refused to accept these conditions this portion was divided between the Company and the Nizam

The principal and all the centre part of the territories of Tipu were given to a descendant of the ancient Rajas of Mysore, in whose person a state was formed under the immediate influence and protection of the British government This state was connected by a treaty of alliance with the Company, which was bound to defend it on condition of the payment of a stipulated tribute [1] As alliances of this description, by conferring a nominal independence on the Princes connected by them with the Company had been found in other instances to be attended with many inconveniences, to render necessary a constant interference by the protecting government in the internal affairs of the Native subordinate state, and to occasion internal weakness jealousy of the protecting power, and a waste and embarrassment of the resources of the government, it was thought best in the treaty of alliance with the government of Mysore, to provide for the interference of the British government in all its concerns when such interference might be necessary, and the state in which this government is found to be at this moment the cordial and intimate union which exists between the government of Mysore and the British authorities, and the important strength and real assistance which it has afforded to the British government in all its recent difficulties, afford the strongest proofs of the wisdom of this stipulation of the treaty

[1] See below, No. 82.

Thus, then, in less than one year from the period at which the perils which I have above described threatened the existence of the British government in India, our principal ally, the Nizam, was restored to us, the French state growing in the peninsula of India was destroyed, our formidable Native enemy, Tipu, the certain ally of the French in India, was subdued, and in his place was established in Mysore a government calculated to afford, and which has afforded, the most substantial assistance to Great Britain in all her difficulties.

ii *The New Treaty with Oudh*

The Governor-General having now relieved the peninsula of India from the danger by which it was threatened, and affairs in that quarter having been placed on foundations of strength calculated to afford lasting peace and security, turned his attention to the great and increasing cause of the weakness of the north-west frontier of the Bengal provinces These provinces were covered in that quarter by the territories of the Nawab Vizier of Oudh, who was connected with the Company by a treaty of alliance, by which, in consideration of a subsidy not exceeding 50 lacs sicca rupees *per annum*, the Company were bound to defend him, and with this view to maintain at all times at least 10,000 men in his territories, and in case this number should for any cause be increased beyond 13,000 men, the Nawab was to pay the actual expense incurred by the Company This treaty was attended by the usual stipulation of the independence of the Nawab in his internal concerns, which stipulation had been uniformly frustrated by the necessary and uniform interference of the Company, in all these concerns for the support of the Nawab's authority, for the preservation of tranquillity in the country, and for the security of the funds from which the Company derived so important a portion of the resources applicable to the payment of their military establishments

For some years previous to 1798 apprehensions had been entertained that Zeman Shah, the King of Kabul would carry into execution an old and favourite plan of the Afghan government to invade Hindustan and these apprehensions had appeared so well founded in 1798 that the Governor General, Marquess Wellesley, had found it necessary to assemble a large British army in Oudh, under the command of Sir J. Craig, for the protection of the Nawab's territories against

this expected invasion, notwithstanding the difficulties under which the government laboured at the same period in the peninsula of India

When the preparations were making to resist the expected invasion of Zeman Shah, the Nawab Saadat Ali, although fully convinced of the necessity of collecting the largest force upon the frontier, called for a detachment of the British troops to attend and guard his person against his own turbulent and disaffected troops He declared repeatedly that these troops were not to be trusted in the day of battle, or on any service, and after viewing their state of discipline and equipment . Sir J Craig considered these troops as worse than useless, as dangerous, and of the nature of an enemy's fortress in his rear, and he actually left a detachment of British troops to watch them, and the turbulent inhabitants of Rohilkhand, the frontier province of Oudh to the north west

The Governor General, by his negotiations at the court of Persia, had drawn the attention of the King of Kabul to the defence of his own western frontier, and availed himself of the certain tranquillity which he had obtained on the frontiers of Oudh to arrange the affairs of that country on a basis better calculated to give it permanent security and tranquillity, and to increase the strength of the British government on its north west frontier which was one of its weakest points

Towards the close of the year 1799 the Governor-General called upon the Nawab of Oudh to dismiss his expensive, useless, and dangerous troops, and to fill their places by increased numbers of the Company's troops The British government had a right, under the article of the treaty of 1798, to require that this reform should be made After some difficulties this great object was effected, and arrangements were made for introducing into the Vizier's territories 3000 additional British troops at the expense to the Nawab Vizier of 76 lacs of Oudh sicca rupees *per annum*

In order to improve the security of Oudh still further, a reform of the civil administration of the government was necessary, and this reform was pressed upon the attention of the Nawab But while the negotiations were going on, the Nawab plainly declared that he was not able to pay the expense of the troops which had been stationed in his country for its defence at the time of the expected invasion of Zeman Shah, or the expense of the additional troops which had been necessarily stationed in his country upon the occasion of the

reform of his military establishments, although he was bound by treaty to defray the whole of these charges

A demand was then made upon him to give territorial security, according to the 11th article of the treaty of 1798,[1] and, after a long negotiation, a treaty was concluded on the 10th Nov 1801, by which, in commutation for subsidy, and for the perpetual defence of his country, the Nawab ceded to the Company the territory of Rohilkhand, the Doab,[2] and Garakhpur, the two former being his frontier provinces towards the Mahrattas, the Sikhs, and Afghans, and the latter bordering upon the Company, and he engaged, further, to introduce a better system of management into the territories which remained in his hands

By the whole of this arrangement the Company gained, 1st The advantage of getting rid of a useless and dangerous body of troops stationed on the very point of their defence, and ready at all times to join an invading enemy

2ndly The advantage of acquiring the means of placing upon this weak point additional numbers of the British troops, and thereby increasing its strength, and the general security of the provinces in their rear

3rdly Ample territorial security for the regular and perpetual payment of these funds for the support of their military establishments in Bengal

4thly By the introduction of their own system of government and management into the countries ceded to them, and the employment of their own servants in the administration, they secured the tranquillity of these hitherto neglected provinces for their armies, in case of the recurrence of the necessity for military operations upon that frontier

These advantages, the full benefit of which as will be seen hereafter, was felt in a very few years, were gained without incurring any disadvantage whatever in particular, that was not incurred which appears most likely to weaken a great continental power, such as the Company is in India, viz, the frontier was not increased The Company were equally bound to defend and had actually defended, this same frontier in 1798 and 1799 when the country was governed by the Nawab, so that all was gain and strength without the smallest disadvantage or weakness

[1] The treaty concluded by Sir John Shore immediately before Wellesley's arrival in India.

[2] A *Doab* is the land between two rivers, in this case between the Ganges and the Jumna.

But the advantages in this arrangement were not gained by the Company only, those of the Nawab were at least equal to those of the Company It is known that the Nawab of Oudh had never collected from the countries ceded, and realised in his treasury, even the sum of 76 lacs of Oudh sicca rupees, being the old subsidy paid under the treaty of 1798; much less had he realised the increased sum which he was obliged to pay in consequence of the increase of the number of troops stationed in his country His pecuniary gain was the difference between the annual sum he realised and that which he was bound to pay Under the new treaty of Nov. 1801, the Company were bound to defend the territories of the Nawab under all circumstances, and no new demand could be made upon him on any account, whatever might be the extent of the service, or of the expense incurred in their defence The Nawab had already felt the full advantage of this stipulation

Besides these advantages of a pecuniary nature, the Nawab derived others from the arrangement When the provinces were ceded to the Company, the Nawab had the means and advantage of employing in a reduced territory the troops which had been found insufficient for the conduct of the administration of one of greater extent, and these troops, being more immediately under his inspection, and within the reach of his authority, were kept in better order

Thus then, upon the whole, this arrangement has been advantageous, and has proved satisfactory, to both the parties to it, whatever may have been the difficulties in settling it; and Marquess Wellesley removed by it all the inconveniences and weakness felt upon the north-west frontier of Bengal, and added considerably to the resources of the British government

v *The Annexation of the Carnatic*

The evil to which Marquess Wellesley next directed his efforts was the nature of the British alliances with its tributary states in general, and particularly with the Nawab of Arcot[1] The alliance between the Company and the family of this prince had commenced in the infancy of the British power in the peninsula of India, and the terms of it had been altered at different periods The general purport of them, however, at all times, had been protection of the Carnatic by

[1] *I.e.* the Carnatic, of which Arcot was the capital.

the Company, on the condition of the regular monthly payment of a stipulated subsidy by the Nawab; that the Nawab should have no political communication with any foreign power, excepting through the intervention or with the consent of the Company; that the Company should not interfere in the internal concerns of the Nawab's government, and the last treaty of 1792 provided particularly that, in case of failure in the payment of the stipulated subsidy, certain countries should be ceded to the Company

One of the great evils in this alliance, as in all those of this description which had been formed in India, was that it provided that the Company should not interfere in the internal concerns of the Nawab's government, at the same time that the interference of the Company in every possible case was absolutely and essentially necessary for the support of the Native government, and was practised on every occasion

Another evil which affected this as well as every alliance of the same description, was that the Nawab was obliged to borrow money, at large interest, to make his payments at the stipulated periods, and as the Natives were unable or unwilling to come forward to lend their money upon those occasions, the loans were made from the Company's civil and military servants, and the European inhabitants of Fort St. George and its dependencies

In this view of the evil it was of enormous magnitude The practice of lending money to the Native powers by British subjects has been repeatedly forbidden by the Company, and the continuance of it, therefore was a breach of their most positive orders, but it was so general, and the profits so large, that no government had been found sufficiently strong entirely to prevent it But the evil did not consist only in the ruin of the Nawab and his country, and in this breach of order and discipline, but it established at Madras, and in the subordinate territories, a body of men in the service of the Company, or living under its protection, whose interests and objects, as relative to the Nawab of the Carnatic, were different from those of the Company On all occasions, whether trifling or important, of difference between the Company and the Nawab, the latter was certain of the advice, assistance, and active exertions of this description of men, and he never failed to succeed in his objects It is not astonishing, therefore, that a Prince whose views were directed to an increase of his political power, and whose vanity was flattered by the services performed

and court paid to him by so many Europeans of the first rank and consequence in that country, should have promoted every object which could have a tendency to continue this system, and should have set his face against every measure calculated to restrain it, although it was evidently ruinous to his finances, to the revenues of his country, and to his real interests and independence

From the time the operation of the treaty of 1792 was observed, every Governor had endeavoured to prevail upon the Nawab to consent to an alteration of it, by which the Company's resources should be secured, and the evils above described should be prevented The endeavours, however, of Lord Buckinghamshire,[1] Marquess Wellesley, and Lord Powis,[1] equally failed in prevailing upon the Nawab to consent to a modification of the treaty, and when the war broke out with Tipu, the country was labouring under all the accumulated disadvantages of the system, its resources were ruined, and its inhabitants, from long oppression, disaffected

Besides these evils, there was a manifest indifference or rather disaffection in the Nawab Omdal ul Omra, himself, to the cause of the British government and its allies, the meaning of which was not discovered till Seringapatam was taken, and the papers of Tipu had fallen into the hands of the British government Among them was found all the written communications and correspondence which had been carried on between the Nawab Mahomed Ali and the Nawab Omdal ul Omra, his son, and Hyder Ali and Tipu Sultan without the knowledge of the Company's government

The fact of the existence of the correspondence alone was a breach of the treaties by which the Nawabs of the Carnatic had been allied to the British government

As soon as Marquess Wellesley had ascertained all the circumstances attending these communications, by an examination of the persons who had been instrumental in carrying them on, he referred the whole subject to the authorities in England, and stated in detail his sentiments on the conduct of the Nawab, and on the measures which it would be advisable to adopt These sentiments having been approved, his Lordship proceeded to carry into execution the measures which he had proposed to adopt

His Lordship's principles on this question were, generally, that the Nawabs, by their communications with Hyder Ali

[1] Governors of Madras.

and Tipu Sultan, had broken their treaties of alliance with the Company; and that in consequence of this breach of treaty the Company had a right to act in the manner that best suited their own interest. That which best suited their own interest was, to take into their own hands the entire management of the civil and military government of the Carnatic, giving to the Nawab, for the support of himself and his family, such a proportion of the revenues as should be sufficient for those objects, provided His Highness would acquiesce in the arrangements which should be carried into execution These principles were considered to apply equally to the son, or supposed son, of the Nawab Omdal ul Omra, as it was obvious that he could claim to inherit the authority of his father in the Carnatic, and the advantages derived from the connexion with the Company, only under the treaties between the Company and his family, all of which had been broken by the correspondence carried on with Hyder Ali and Tipu Sultan, by Mahomed Ali and Omdal ul Omra

When the orders from Marquess Wellesley upon this subject reached Madras, the Nawab Omdal ul Omra was in such a state of health as to be incapable of attending to business, and soon afterwards he died The supposed son was then apprised of the discoveries which had been made at Seringapatam, of the sentiments of the British government in consequence of these discoveries, and of the measures which they proposed to adopt in the Carnatic But he refused to accept the situation held out to him under the new arrangement. As the claim of this Prince to succeed his father, supposing that circumstances had allowed of the succession, was by no means clear, and as it was desirable for the peace of the Carnatic that the Nawab's family should adopt the arrangement, Lord Clive (now Earl of Powis)[1] determined to set aside Ali Hussein entirely, and to propose it to Azim-uddaula, the eldest legitimate son of Amir ul Omra who was the second son of the Nawab Mahomed Ali and brother of the late Nawab Omdal ul Omra This Prince having agreed to the arrangement, a treaty was concluded by which the whole of the civil and military government of the Carnatic was transferred for ever to the Company, and the Nawab Azim-uddaula, and his heirs, were to preserve their title and dignity, and to receive one-fifth part of the net revenues of the country

Thus was this important arrangement concluded in a

[1] Governor of Madras.

peaceable manner, by which a remedy was provided for all the evils which had attended the former connexion between the Company and the Nawabs of the Carnatic, additional security was given to the British government, and an addition of £800,000 *per annum* was made to their pecuniary resources This improvement in their situation was not attended by any extension of their frontier (for the Company was bound, before, both by treaty and positive interest, to defend the same line of country), or any circumstance which tended to weaken the British government in the Carnatic

vi Subsidiary Alliance with the Nizam

The arrangement, the nature of which I shall next discuss, is the treaty of 1800, with the Nizam It will be recollected that the treaty of 1798 had been directed principally to the object of enabling His Highness to perform his part of the triple alliance of 1790, formed against the power of Tipu Sultan, in which object it had completely succeeded But . . some inconveniences had grown out of the treaty of 1798 for which it was necessary to provide an early remedy Between the years 1792 and 1798 the power of the government of the Nizam had fallen under the influence of the Mahrattas This power had large claims upon His Highness, some founded upon the treaty or capitulation of Kurdla, which claims had been afterwards modified and given up by other treaties, and others founded upon the general principle of overbearing extortion of the Mahratta government

Under the treaty of 1st Sept 1798, the Nizam was not entitled to the assistance of the British troops stationed in his country, either to defend him against the Mahrattas, or to assist him in overawing those of his tributaries who were likewise tributaries to the Mahrattas, and after the conquest of Mysore the British government, which by that event had become paramount in India, was obliged to determine the precise nature of the relation in which it would stand, as well to the Nizam's as to the Mahratta government, and that in which those powers should stand to each other

It was obvious that the Mahrattas would continue to make, and would at length enforce, their unjust demands upon the Nizam's government to the length of replacing affairs at Hyderabad in the situation in which they had been left by the treaty of Kurdla in 1795, when a Mahratta minister

governed the Nizam's territories. But this was not the only danger. The Nizam's government could not proceed unless its tributaries were brought under subjection. This measure was necessary as well on account of the pecuniary relief which it would afford to the Nizam as because the rebellion of these tributaries was a dangerous example of insubordination to the governors and collectors of the revenue of the distant provinces of the Nizam's territories The existence of rebellion and insubordination in any country must always be formidable to its neighbours, but it is particularly so in India and in the years 1799 and 1800 the existence of these evils was peculiarly inconvenient to the British government, and impeded the settlement of the new government of Mysore and the conquered provinces

After the peace of Seringapatam, therefore, the British government were compelled to advert to the means of strengthening the government of the Nizam Those which occurred were first to encourage and aid the Nizam in raising an army, to be disciplined and commanded by European officers It would have been impossible to provide the number of English officers which His Highness's service would have required. These European officers must therefore have been foreigners and principally Frenchmen Here, then, the evil would have been revived, of which the inconvenience and danger had been felt previous to 1798, and for which the treaty of 1798 had been a remedy

The second mode which occurred was to encourage the Nizam to raise a Native army From the treachery of the Native chiefs, from their habits of correspondence and communication with the Mahrattas, and the superiority which this nation had acquired over them in a long series of contests, nothing effectual was to be expected from this measure, and it would have led directly to place the Nizam in a state of subjection to the government of Poona

The third mode was to extend the basis of the treaty of 1st Sept. 1798, to make it generally defensive against all powers,[1] and, in fact, to take the Nizam under the protection of the British government

But besides the great views of policy which rendered the alteration of the treaty of 1798 desirable there were other circumstances . which rendered expedient the other alterations made by the treaty of 1800.

[1] Instead of merely against Tipu.

Under the treaty of 1798 the British government had been bound to furnish the Nizam with a certain force, for the payment of a stipulated sum of money monthly As was usual in all these cases, this subsidy fell in arrear; and the records of the Presidency are filled with accounts of the complaints made of the existence of these arrears, and of the measures adopted to secure their liquidation These arrears gave rise to complaints and remonstrances from the British government, which of course must have tended to weaken the good understanding which ought to have existed between the Nizam and them, and they were equally prejudicial to the interests of both powers The grant of territorial security for the payment of the subsidy removed all these causes of misunderstanding

The territory which was granted to the Company was that which had been under the government of Tipu Sultan, and had been ceded to the Nizam by the treaties of Seringapatam of 1792 and 1799 The authority of the Nizam had never been firmly established in those countries, and the state of confusion in which they were in 1799–1800 was highly prejudicial to the British interests in Mysore and in the Company's recently acquired countries The Nizam's treasury has never received anything from those countries, and His Highness had supported the Company's subsidiary troops by funds acquired from other parts of his territories It was hoped that the introduction of a better system of government would have produced order and regularity among this hitherto turbulent people a hope which has been completely fulfilled; and this territory now yields a revenue fully equal to pay the expenses of the subsidiary force stationed with the Nizam, and of the administration of government in the provinces which His Highness ceded

The provinces acquired under this treaty cover the Mysore country to the northward, and have removed the source of danger to be apprehended to that newly established government, from the neighbourhood and example of a turbulent and disaffected people paying no revenue or obedience to the government under which it is placed

From the general view which has been given of this arrangement, it will readily be believed that the Nizam wished to accomplish it much more eagerly than the British government did. In fact, His Highness felt that before this arrangement was made his government was not in a state of security; and

it will be observed that the security of His Highness's government was the principal object and motive of this treaty. Other objects were connected with this principal motive, equally interesting and advantageous to both the parties to the treaty, and upon the whole it may be said that it does not contain an article or an arrangement in which both parties were not equally interested

vii *The Mahrattas their Internal Discords*

The next subject to which I shall advert is the arrangement made with the Peshwa by the treaty of Bassein It will be recollected that the Mahratta government of Poona had been connected with the British government by a treaty made by Lord Cornwallis on 1st Sept 17[92], commonly called the Treaty of Triple Alliance against Tipu Sultan Under this treaty His Highness was bound to assist the British government and the Nizam, in case either of these powers was attacked by Tipu

After the peace of Seringapatam, in 1792, the Mahrattas attacked the Nizam, and the war ended by a peace or capitulation concluded at Kurdla, by which the Nizam ceded half his territories, placed the remainder under the influence of the Mahrattas, paid a large sum of money, gave up his minister as a prisoner, and appointed other ministers nominated by the Mahrattas Shortly after this peace the Peshwa, Mahdu Rao Narain, died A contest ensued among the different Mahratta chiefs for the succession to the office of Peshwa, and the possession of the influence and power of the government, which, after various success, ended in the establishment of the present Peshwa Baji-Rao and the possession of all the power and influence of the government by Daulat Rao Sindhia.

This chief already had, by right of succession to his relative Mahdaji Sindhia, all the Mahratta territories in Hindustan,[1] situated between the rivers Nerbudda and Tapti, and the Ganges and Indus The principal support and instrument of his government was an army disciplined and commanded by French officers, with a formidable train of artillery, and, by his influence at Poona, he had now acquired that part of the power of the Mahratta government which was not already in his hands.

[1] The word is here used in the narrower sense, meaning northern India as distinguished from the Deccan.

This was the general state of Mahratta affairs in the year 1798, when Marquess Wellesley assumed the government. But this power of Sindhia's was by no means consolidated. A formidable rebellion prevailed in his territories north of the Nerbudda, which was directed and encouraged by the female relations of his predecessor and the confusion in the southern parts of the empire which had attended the progress of the contest for the possession of the power at Poona, had not subsided upon its establishment in the hands of Sindhia

Besides these causes of disquietude, Sindhia was not uninterested in the invasion of India by Zeman Shah, at that time expected The first effects of that invasion would have been felt by Sindhia, and his only hope of safety was in the assistance which he might derive from the British government

It appears that, from this state of affairs, the Governor-General, Marquess Wellesley, endeavoured to derive additional strength and security to every part of the British empire in India His first object was to procure the assistance of the Peshwa in the war against Tipu Sultan, which was impending, according to the stipulations of the Treaty of Triple Alliance, and with this view he endeavoured first to prevail upon Sindhia to return to Hindustan for the protection of his northern frontier against Zeman Shah, and secondly, he acquainted the Peshwa with the course of measures he was pursuing for the restoration of the power and activity of the other party to the alliance, the Nizam, and offered to adopt similar measures for the establishment and support of the power of the Peshwa

The influence of Sindhia, however, occasioned the failure of this negotiation, and the war against Tipu was carried on and concluded without the assistance of the Peshwa

The negotiation was renewed by the Peshwa at different periods, particularly in the year 1800, when his power and the safety of his person was threatened by Sindhia, but their object was always defeated by the influence and violence of that chief

At length the confusion which had existed in the northern parts of Sindhia's territories from the period of the death of Mahdaji Sindhia came to a crisis towards the close of the year 1800, which drew Sindhia's attention, and required his presence in that quarter, and here commenced a new scene in Mahratta

affairs, which led immediately to the treaty of Bassein, and the subsequent transactions in which the British government have been engaged

It has already been noticed that the female relations of the predecessor of Daulat Rao Sindhia were at the head of a party in Hindustan, who were in rebellion against the authority of Sindhia's government When the contest had lasted for some time, the Mahratta chief, Tukaji Holkar, who had been next in rank and power to Sindhia, died in the year 1797, and the sons of that chief came to Poona to arrange with the Peshwa the succession of one of them to the territories of their father Sindhia's objects were to procure the succession for Kashi Rao Holkar, the legitimate son most likely to favour the pretensions and objects of Sindhia in the Mahratta empire The wishes of the family were for Mulhar Rao Holkar, with whom were connected his illegitimate brothers, Jeswant Rao Holkar and Vitaji Rao Holkar

While the negotiations were going on at Poona between these different branches of the Holkar family and the Peshwa, Sindhia attacked the camp of Mulhar Rao Holkar, put him to death, seized his widow, and dispersed all his adherents, including his illegitimate brothers Vitaji Rao Holkar was soon afterwards taken in rebellion against the Peshwa, and was put to death at Poona Jeswant Rao Holkar fled first to Hyderabad and then to Nagpur, the capital of the Raja of Berar, where, by the influence of Sindhia, he was put in confinement, and, after a short time, having made his escape from Nagpur, he fled into Hindustan, where he joined the army of the rebels against the authority of Sindhia's government In a short time Holkar acquired considerable influence in the councils and the army of these females, which he soon turned to his own advantage, and he suddenly attacked and plundered them, and placed himself at the head of their troops He then increased his forces to the utmost extent that was practicable and on the 17th and 18th July 1800, made an attack upon a large detachment of Sindhia's regular infantry which detachment he defeated with great slaughter, particularly of their European officers, and he plundered the city of Ougein This event drew Sindhia's serious attention to the situation of affairs in Hindustan, and he removed from Poona with his army in the month of Dec 1800 His agents, however, still conducted the operations of the Peshwa's government, His Highness's prime minister had been

appointed by Sindhia; and although His Highness' and his councils were in some degree relieved from the previous constraint under which they had laboured for some years, no act of the government could be carried into execution without the consent of Sindhia's servants

When Sindhia arrived in Hindustan with his army the contest between him and Holkar continued with increased violence, and at length Holkar was defeated in a great battle, which was fought at Indore, the capital of the possessions of the Holkar family, on the 14th October 1801 After this battle, Holkar was obliged to withdraw from Hindustan into the hilly countries between the Nerbudda and the Tapti, into which Sindhia was unable to carry the war, as his attention was still taken up by the settlement of his government in the north of Hindustan, and his armies were not reunited sufficiently, from the loss sustained in the different battles which had been fought Holkar took advantage of this respite to carry the war across the Tapti into the Peshwa's country In the course of the year 1802 he had several engagements with the Peshwa's troops in Kandeish and on the Godavery, in which he was uniformly successful, and at length, in the month of October 1802, he approached Poona Sindhia had sent a small detachment of his regular infantry and a body of cavalry to join the remnant of the Peshwa's army, and on the 25th October 1802, a great battle was fought between these armies, almost within sight of the city of Poona, which ended in the complete defeat of the troops of the Peshwa and Sindhia. After this battle the Peshwa fled from Poona into the Konkan, or low country on the sea coast between Bombay and Goa Having been pursued by Holkar's troops, he embarked at Severndrug, on board a ship which was sent from Bombay for his accommodation, and he arrived at Bassein, opposite to the Island of Salsette on the 16th December, and Holkar remained in possession of the authority of the government of Poona

viii The Treaty of Bassein

During the progress of Holkar in his invasion of the Peshwa's territories, His Highness the Peshwa renewed the negotiations, which had been so frequently broken off, for the assistance of the British government These negotiations, however, were not brought to a close on the day of the battle near Poona;

and after the result of that day was known, and immediately previous to his flight, His Highness signed a paper, by which he engaged to perform all the material stipulations required by the British government as the conditions on which they would consent to give him the assistance for which he asked These were, principally, that His Highness would allot a territorial security for the payment of the troops which the Company would detach into his country, that those troops should occupy a position within his territories that the Company should arbitrate on the differences between him and the Nizam, and that the Peshwa should not enter into any treaty or correspondence with any foreign power excepting with the knowledge and consent of the Company

The principle on which the negotiations at Poona had turned since the death of Tipu Sultan had been, the necessity of introducing the arbitration of the British government in the disputes and claims which existed between the Peshwa and the Nizam It was obvious that unless the British government should interfere, the Nizam must fall under the power of the Mahrattas, and for this reason the treaty of 1798 with the Nizam had been made generally defensive against all powers whatever by the treaty of October 1800 When this treaty was concluded there existed a necessity for continuing to urge the Peshwa to admit of the arbitration of the British government in the Mahratta claims, or the British government must have been prepared for, and must have expected, war with the Mahratta nation, whenever these claims should be made, and the Mahrattas should find themselves in a condition to enforce them The attainment of this political object, therefore, was the only one likely to ensure the peace of the peninsula of India

The cession of territory for subsidy was the best mode of avoiding the disputes and inconvenience which had invariably attended these subsidiary alliances in other instances, and the article respecting the intercourse of the Peshwa with foreign states was rendered necessary by the nature of the constitution of the two governments, the alliances by which each was bound, and the laws which regulated their intercourse with foreign states The necessity for this connexion with the head of the Mahratta Empire was rather increased by the successful invasion of the Peshwa's territories, and by the usurpation of His Highness's authority, by Jeswant Rao Holkar . .

Immediately after the flight of the Peshwa from Poona, Holkar took upon himself the government of the Peshwa's territories, but finding that this arrangement was not popular, and gave offence to the chiefs in the southern parts of the empire, he appointed the son of Amrat Rao, who was the adopted son of the father of the Peshwa, Baji Rao, to be the new Peshwa, and Amrat Rao to be his minister, and himself to be the head of his armies He endeavoured to obtain the consent and acknowledgment of the Nizam and of the British government to this arrangement, and while the negotiations were going on upon this subject, it is well known that he was collecting about his person all the pretenders to authority, and the disaffected subjects of the Company and their allies, that could be found, and he was preparing the documents on which he intended to found the vexatious claims of the Mahratta government on the Nizam, the territories of Mysore and Arcot He was at the same time urging the British government to acknowledge his new dynasty at Poona, and to interfere in the settlement of the Mahratta affairs Sindhia, who had been informed by the Governor-General of the progress of the Peshwa's negotiations with the British government in the year 1802 earnestly urged the British government to interfere in the Mahratta affairs, as the only mode of settling their actual confusion

The animosity between Sindhia and Holkar still existed with the greatest violence and in the operations which must be carried on to relieve the Peshwa and to restore his authority, there was every reason to expect that Holkar would find himself exposed singly to the hostility of all the great powers of India, and that he would withdraw from the Peshwa's territories

Orders were therefore issued for the conclusion of a treaty with the Peshwa, upon the basis of the paper which had been delivered by His Highness to the Resident at Poona on the day preceding his flight, and the treaty was concluded accordingly on the 31st Dec 1802 Sindhia's minister, who, as was before related, was the Peshwa's *diwan*, was privy to the whole transaction, and he on the part of Sindhia, engaged to make good to the Peshwa a part of the expense which he should incur in procuring the interference and assistance of the British government.

The treaty having been concluded the British troops marched from the frontiers of Mysore on the 12th March

They were joined on their march by the principal of the Mahratta chiefs and of the Peshwa's officers in the southern parts of the Mahratta empire. The detachments of Holkar's army, which had been upon the Kistna and Godavery, successively fell back, and the British troops formed a junction with the Nizam's army and the subsidiary British troops in His Highness's service on the 15th April, within 100 miles of Poona Nearly about the same time Holkar withdrew from Poona to the northward, and left that city to be occupied by the British army A communication was immediately opened with the Peshwa, who was at Bassein, under the protection of a detachment of the army of Bombay, and His Highness entered Poona and took upon himself the government of his country on the 13th May

In this manner this great arrangement was effected without the loss of a man By a skilful and ready application of the forces and resources of the government, and by taking advantage of opportunities, the ally of the Company was restored to his dignity and to the exercise of his authority, the usurpation of a most rapacious freebooter was destroyed, and this dangerous neighbour was removed from the frontier of the Company's allies At the same time an arrangement was made which was calculated to preserve peace between the Company's allies, and secure the weak government against the unjust claims of the strong

ix The Validity of the Treaty of Bassein

From the knowledge which the British government possessed that Sindhia was aware of all the circumstances of the negotiations which the Peshwa was carrying on, that he had earnestly desired their interference in the Mahratta affairs, and, above all, because he must have known that they had acquired a most formidable position for their armies in the peninsula, of which nothing could deprive them excepting great military success, it was confidently expected that this arrangement would not have occasioned any subsequent hostilities

But these were not the only grounds on which this expectation of the continuance of peace was founded Sindhia had, in point of fact, no right to interfere in an arrangement between the Company and the Peshwa, particularly in one concluded under all the circumstances which had attended the treaty of Bassein

The Mahratta empire has at times been considered as an institution, in some degree, of the same description with the Empire of Germany,[1] at others it has been considered as the union of a number of chiefs possessing territory and power, acknowledging the Peshwa as their nominal head, and at others, the Peshwa has been considered as the real head of a government of which Sindhia and others were only the powerful officers Arguments have been drawn from the supposed existence of all these imaginary forms of government to prove that the Peshwa had no right to enter into the treaty of Bassein without the consent of Sindhia and other chiefs of the Mahratta empire

Admitting the existence of all, or any, of these forms of government (and excepting the similarity to the Empire of Germany, all have in reality existed at different periods of the Mahratta history), the fact is, and cannot be denied, that the Peshwa has frequently made treaties, not only to which none of the Mahratta chiefs consented, but to which some of them objected For instance, the Treaty of Triple Alliance, in 1792, was objected to by Mahdaji Sindhia and Tukaji Holkar The treaty of peace in 1792, at Seringapatam, and of partition, was not consented to by any of the Mahratta chiefs But if it be true that the Peshwa, who is acknowledged by those who reason upon all these different forms of government to be either the real or the nominal head of what is commonly called the Empire, cannot make a treaty without the consent of Sindhia and the other chiefs, it may be presumed that Sindhia and the other chiefs cannot make a treaty without the consent of the Peshwa How is this fact? They make war and peace in their own names against whom they please, when they please, and as they please, and never use the Peshwa's name, or refer to its authority, excepting as a last subterfuge in the discussions which may attend their negotiations In point of fact, Sindhia, instead of being a powerful subject, and in that light a party to be consulted in an agreement to be entered into by the Peshwa with the British government, was himself the guarantee of the treaty of Salbai between the same parties

In this very capacity of guarantee of a treaty he must have been considered, and must have been in fact, independent of the two powers contracting it Before he became a guarantee, the history of those times shows that he was independent of

[1] The Holy Roman Empire

the Peshwa. But this very act of guarantee has always been considered important in India, particularly by the Native politicians, as it afforded complete evidence of the division of the Mahratta power

The hopes of the continuance of peace, then, were founded as well upon the right of the Peshwa to conclude the treaty of Bassein, as upon the circumstances which attended its negotiation and its execution

x Threatening Combination of the Mahratta Chiefs

A new party, however, came forward upon this occasion, through whose means and by whose exertions a peace was patched up between Sindhia and Holkar, on which was founded a confederacy against the British government

The Raja of Berar had not been engaged in hostilities since the year 1780, when he had marched to the British frontier of Bengal, and had received a sum of money to desist from his hostilities, excepting during the short campaign of 1795, in which he had co-operated with the other Mahrattas against the Nizam He was the oldest of the chiefs of the present day, and was renowned among them for his wisdom and political knowledge and skill He had claims upon the power of the state of Poona, from his relationship to the Rajas of Sattara, and he was known to have entertained serious designs of forming a union of all the Mahratta powers against the British government

When he perceived the advantages which the British government had taken of the existence of the disputes among the Mahratta chiefs, he saw that he must become the victim of the arrangement Holkar would have been unwilling to discharge his army, he could not remain in the Peshwa's territories, or invade those of the Nizam, and his only resource to provide for their subsistence would have been to enter Berar

The Raja, who clearly perceived this consequence (and who has since acknowledged this motive for his conduct), determined to endeavour to organise a confederacy of the Mahrattas against the British government

Whatever might have been the claim of Sindhia to the possession of the power of the Peshwa's government, and the degree of encouragement he gave to the conclusion of the treaty of Bassein, there is no doubt that he lost solid power by the arrangement, which he could not hope to recover He had

nothing to gain by the continuance of hostilities against Holkar; . . . Holkar could hope nothing from the continuance of his hostilities with Sindhia .

A combination of all the Mahratta chiefs, with their forces, had long been an object with the Mahratta politicians; and the plan flattered the national vanity, although it was impracticable, unless attended by great and important military successes at the outset The Raja of Berar, therefore, succeeded in patching up a peace between Sindhia and Holkar, none of the important articles of which were performed by either party

xi Defence of Wellesley's Mahratta Policy

Before I proceed to the relation of the events which followed the treaty of Bassein, it will be proper to discuss the justice and policy of the British government in entering into the treaty of Bassein, on the ground that they must have expected the event which followed it

I have already pointed out the objects of the treaty, the favourable circumstances under which it was negotiated, and the probability which existed that its arrangements would be carried into execution without a war, and that it would secure the permanent peace of India But the faithless nature of the Mahratta character, and the habits of the councils of all the chiefs, are so well known, that it may be admitted that the British government ought to have contemplated the chance of a confederacy of the Mahratta chiefs to oppose the arrangement

Considering the nature of the materials of which that confederacy was to be formed, that the two most powerful of the chiefs entertained the most rooted and inveterate animosity against each other, that after they had signed their treaty of peace their hostilities continued, and they could not trust each other so far as to place their armies within reach of attack, that none of the chiefs trusted the other, and that the pride of all prevented them from placing the management of the affairs and the command of the armies of the confederacy in the hands of one, the British government had but little to apprehend from this confederacy, provided vigorous measures were adopted at an early period of time to oppose it effectually, and to prevent it from acquiring strength and consistency by success

The arrangements which had been made by Lord Wellesley,

viz. the treaty with the Nawab of Oudh, the treaty with the Gaekwar,[1] the arrangements at Surat, the arrangements in Mysore, the treaty with the Nizam, of October 1800, and above all, the treaty of Bassein, afforded the most efficient means of opposing the confederacy with success If the troops did their duty with their usual bravery, its early dissolution became certain, and by the advanced position in which the treaties of Hyderabad and Bassein placed the British troops,[2] the evils of the war would be removed to a distance from the British territories, the seat of the resources of the government

But it is not clear that the omission to conclude the treaty of Bassein would not have led equally to a war with all the powers of the confederated Mahratta states, under circumstances of increased disadvantage The removal of Holkar from Poona was absolutely necessary on every ground of justice, policy, and good faith, and if the treaty of Bassein had not been made, the British government must have aided Sindhia in effecting that object Holkar's armies would have been defeated, and the power of his rival, Sindhia, would have been established in full vigour at Poona He would thus again have been in possession of all the Mahratta power from the Ganges and the Indus to the Tumbadra, and his situation would have been so far more advantageous, as in the course of the years 1801 and 1802 he had overcome the rebellion which had till then prevailed in his northern dominions, and had completely established the authority of his own government in those rich countries His first demand would have been upon the Nizam, and here at once the Company would have come in contact with a Mahratta confederacy, but under very different circumstances of strength from that with which they were engaged in 1803 In this contest Sindhia would have been really, as well as nominally, at the head of the confederacy, he would have had no rival, or rather actual enemy, in Jeswant Rao Holkar, and would have been able to direct all his forces against the British government He would have had on his side, instead of against him, all the strength of the Peshwa, including, what is of no small importance, all the strength of the southern chiefs situated on the frontier of Mysore The Company, on the other hand, would have been obliged to engage with this more formidable confederacy with diminished

[1] The passage of the narrative explaining this treaty with the least important of the Mahratta chiefs has been omitted for lack of space

[2] I e the subsidiary contingents, located respectively in the territories of the Nizam and the Peshwa

means and resources, as they would not have had the Peshwa and the southern chiefs on their side But their principal loss would have been the position for their armies which the treaty of Bassein gave them By adopting this position in the Deccan in 1803, the armies were enabled immediately to render offensive the operations of a war which had been undertaken solely for defence In the war which must have been expected if the treaty of Bassein had not been concluded, the operations must have been defensive upon a frontier extending above a thousand miles, assailable in all of its parts, and the seat of the war would have been either the heart of the territories of the Nizam, or those of the Raja of Mysore

Upon the whole, then, I conclude that the treaty of Bassein was a wise, just, and politic measure, that none of the chiefs had any right to interfere in it or question its stipulations; and that it was concluded under circumstances and at a time which promised that it would be followed by lasting tranquillity If it should be contended that the British government ought to have expected, as a consequence of the treaty, the confederacy and war which happened in 1803, I answer that, with the military and political advantages they acquired by the treaty of Bassein, they had nothing to fear from that confederacy, and that if they had not concluded the treaty of Bassein they would in a few months afterwards have been involved in a war with the same power, much increased in strength and resources, and possessing superior advantages, while those of the Company, in every point of view, would have been diminished

xii The Mahratta War and its Causes

As soon as the British government was made acquainted with the measures which had been adopted by the Raja of Berar to arrange a confederacy of the Mahratta chiefs against the Company, the Governor-General directed that measures should be taken to make the Raja of Berar and Holkar acquainted with the stipulations of the treaty of Bassein, and to point out to all the chiefs the innocent and defensive nature of the treaty, and the arrangement contained in the article which provided for the security of all their rights They were at the same time called upon to declare the nature and object of their negotiations, and their views in marching to join each other . . In answer to these representations, Sindhia

declared that he would not say whether there would be peace or war till he should meet the Raja of Berar. After Sindhia and the Raja of Berar had joined their troops in a position which enabled them in one march to enter the Nizam's territories, letters were presented to them from the Governor-General, in which the nature and objects of the treaty of Bassein were fully discussed and explained Sindhia and the Raja of Berar wrote the following answers to these letters[1] In the meantime the peace between Sindhia and Holkar had been signed, although but one article of it had been carried into execution, viz that which stipulated that Hindu Rao Holkar, the infant and posthumous son of Mulhar Rao Holkar, should be delivered over by Sindhia to Jeswant Rao Holkar The object of Sindhia and the Raja of Berar in writing these answers to the Governor-General's letter was to gain time, to allow the season of the rains to pass over, to conciliate the confidence and receive the co-operation of Jeswant Rao Holkar, and to complete their preparations for attack on all parts of the frontier of the Company and the allies Early measures, however, had been adopted by the British government to resist their hostilities, and their armies were completely prepared in the middle of July 1803 It was an object of importance to bring the confederates to a decision whether there should be peace or war before the season of the rains should pass over, before they should have time to complete their preparations, and to conciliate the confidence of Holkar Accordingly the following letter was written to them by the commanding officer in the Deccan, in answer to their letters to the Governor-General[2] They refused to comply with the reasonable demand contained in this letter, and the British Resident quitted the camp of Daulat Rao Sindhia on the 3rd Aug and hostilities immediately commenced

It is useless to follow the operations of the British armies[3] It is sufficient to state, that owing to the preparations which were made, the positions which they had taken, and the favourable season in which the military operations were commenced, they were uniformly successful, the result was, the early dissolution of the confederacy, in which Holkar never joined, and that in less than two months the confederates sued for peace

Treaties were concluded with Sindhia and the Raja of

[1] The answers are omitted in the original.
[2] This document is also omitted in the original
[3] They included the Duke's own brilliant campaign of Assaye

Berar in the end of December 1803, by which the allies gained an acknowledgment of the treaty of Bassein. The Company acquired from the Raja of Berar the district of Cuttack, etc., by which they insured the defence of a weak part of the frontier of Bengal, and the continuity of their possessions, and the certainty of a communication at all times between the Presidency of Fort William and Fort St George On the north-west frontier they acquired from Sindhia all his possessions on both banks of the Jumna, by which they got that river for a frontier, and secured its navigation, an object of infinite importance to the commerce of that part of the country They also acquired from Sindhia the town, port and territory of Broach, in Guzerat, by which they secured the government of the Gaekwar and all the Company's interests in that quarter Sindhia was also obliged to relinquish the influence which he had exercised over the person and power of the Mogul, and to admit the independence of all the petty states in the north of India, who, during the war, had connected themselves by treaty with the Company By this arrangement, which affected the Rajput state of Jaipur, and all the petty Rajas to the northward of that state, the Mahrattas were removed to a distance from the Company's frontier, which was surrounded and guarded by these petty states

The Nizam acquired by these treaties an exemption from all demands of all descriptions on his territories by the confederates He also acquired on the side of Sindhia a defined boundary, and all the territories belonging to Sindhia which were within that boundary

From the Raja of Berar, the Nizam acquired the province of Berar, with the river Wurda and the hills to the northward as a frontier, by which cession he gained an addition of revenue amounting to £800 000 annually

The Peshwa acquired from Sindhia the fort and territory of Ahmednagar, and by an arrangement made with Amrat Rao at the commencement of the war, he had acquired the *jaghir* of this chief upon the Godavery By these arrangements his territories became compact, the city of Poona was rendered more secure, and the pretext of posting troops in the neighbourhood for the purpose of collecting the revenues of territories in that quarter was annihilated

Besides these advantages acquired by each of the allies by this war, the British government destroyed entirely the corps

in the service of the enemy, which was commanded and officered by Frenchmen, and took from them not less than 823 pieces of ordnance The advantages resulting from these military successes will be best understood by reflecting on the difficulties and losses sustained in gaining them, and on the reputation for bravery and other military qualities acquired by our officers and troops

During this war with the confederacy the conduct of Holkar had been rather favourable than otherwise to the British government This chief had employed his army in levying contributions in the countries under the government of Sindhia situated north of the Nerbudda, and in endeavours to establish the authority of his infant nephew in the *jaghir* of the Holkar family When Sindhia was obliged to collect a body of troops at Ougein, in consequence of the progress made by the army in Guzerat towards that capital, Holkar proceeded to the northward, and began to plunder the Rajput states Shortly afterwards, peace was concluded between the British government and the other members of the confederacy

(*Wellington Supplementary Dispatches*, Vol IV)

83 SUBSIDIARY TREATY WITH MYSORE, 8TH JULY 1799

1 The friends and enemies of either of the contracting parties shall be considered as the friends and enemies of both

2 The Honourable the East India Company Bahadur agrees to maintain, and his Highness Maharaja Mysore Kistna Raja Udiaver Bahadur agrees to receive, a military force for the defence and security of his Highness's dominions In consideration of which protection his Highness engages to pay the annual sum of seven lacs of star pagodas to the said East India Company The said sum to be paid in twelve equal monthly instalments, his Highness further agrees that the disposal of the said sum, together with the arrangement and employment of the troops to be maintained by it, shall be left entirely to the Company

3 If it shall be necessary for the protection of the territories of the contracting parties, or of either of them, that hostilities against any state or power shall be undertaken or preparations made for commencing hostilities against any state or power, his said Highness agrees to contribute towards the increased expense such a sum as shall appear to the

Governor-General in Council of Fort William . . . to bear a just and reasonable proportion to the actual net revenues of his said Highness.

4 (If there is reason to apprehend a failure of the funds required under Arts 2 and 3) the Governor-General in Council shall have full power either to introduce such regulations as he shall deem expedient for the internal management and collection of the revenue, or for the better ordering of any branch and department of the government of Mysore; or to bring under the direct management of the servants of the Company, such part or parts of the territorial possessions of his Highness as shall appear to him necessary to render the said funds efficient

5 Whenever the Governor-General in Council shall signify that it is become necessary to carry into effect the provisions of the 4th Article, his said Highness . . shall immediately issue orders to his *Aumils*, or other officers and in case his Highness shall not issue such orders within ten days the said Governor-General in Council shall be at liberty to issue orders by his own authority

6 No communication or correspondence with any foreign state whatever shall be holden by his Highness without the previous knowledge and sanction of the Company

7 His Highness agrees that he will not admit any European foreigner into his service without the concurrence of the Company, and that he will apprehend and deliver up to the Company's Government all Europeans who shall be found within the territories of his Highness, without regular passports from the Company's government

8 The Company shall at all times be at liberty to garrison, in whatever manner they may judge proper, all such fortresses and strong places within his Highness's territories as it shall appear to them advisable to take charge of

14 His Highness promises to pay at all times the utmost attention to such advice as the Company's Government shall . offer to him, with a view to the economy of his finances, the better collection of his revenues, the administration of justice, the extension of commerce, the encouragement of trade, agriculture and industry, or any other objects connected with the advancement of his Highness's interests, the happiness of his people, and the mutual welfare of both states.

(Aitchison, *Treaties and Sanads* (4th Ed), ix. 220.)

84 THE TREATY OF BASSEIN

***Between the East India Company and the Peshwa, December* 31, 1802.**

1. The peace, union and friendship, so long subsisting between the two states, shall be perpetual The friends and enemies of either, shall be the friends and enemies of both.

2. If any power or state whatever, shall commit any act of unprovoked hostility or aggression against either of the contracting parties, or against their respective dependents or allies, and after due representation, shall refuse to enter into amicable explanation then the contracting parties will proceed to concert and prosecute such further measures, as the case shall appear to demand For the more distinct explanation and effect of this arrangement the Governor-General in Council on behalf of the Honourable Company, hereby declares, that the British Government will never permit any power or state whatever to commit with impunity, any act of unprovoked hostility or aggression against the rights and territories of His Highness Rao Pundit Pardhan Bahadur

3 With a view to fulfil this treaty His Highness agrees to receive, and the Company to furnish a permanent subsidiary force of not less than six thousand regular native infantry, with the usual proportion of field pieces, and European artillerymen attached, and with the proper equipment of warlike stores and ammunition, which force is to be accordingly stationed in perpetuity in his said Highness's territories

4 For the regular payment of the whole expense of the said subsidiary force, his Highness hereby assigns and cedes in perpetuity to the Company, all the territories detailed in the schedule annexed to this treaty

9. The subsidiary force will at all times be ready to execute services of importance—such as the protection of the person of his Highness, his heirs and successors, the overawing and chastisement of rebels, or exciters of disturbance in his Highness's dominions, and due correction of his subjects or dependents, who may withhold payment of the *sarkar's*[1] just claims, but it is not to be employed on trifling occasions, nor to be stationed in the country to collect the revenues, nor against

[1] Government s

any of the principal branches of the Mahratta Empire, nor in levying contributions from Mahratta dependents. . .

11. Whereas it has been usual for his Highness . . . to enlist and retain in his service Europeans of different countries, his Highness hereby agrees that in the event of war breaking out between the English and any European nation, and of discovery being made that any European or Europeans in his service, belonging to such nation at war with the English, shall have meditated injury towards the English, or have entered into intrigues hostile to their interest, such European or Europeans, so offending shall be discharged by his Highness, and not suffered to reside in his dominions

14 Whereas a treaty of friendship and alliance has been concluded between the Company and Raja Anand Rao Gaekwar Bahadur and whereas the said treaty was mediated and executed, without any intention that it should infringe any of the just rights or claims of his Highness Rao Pundit Purdhan Bahadur affecting the *Sarkars* of the said Raja, his said Highness doth hereby formally acknowledge the existence of the said treaty between the Company and the Raja and inasmuch as various demands and papers of accounts are found to subsist between the Government of his Highness and the *Sarkar* of the Raja, his Highness, placing full reliance on the impartiality, truth, and justice of the British Government doth hereby agree, that the said government shall examine into and finally adjust the said demands and papers of accounts and his Highness further binds himself to abide by such adjustment as the British Government shall accordingly determine

17 As, by the present treaty the union and friendship of the two states is so firmly connected that they may be considered as one and the same his Highness engages neither to commence nor to pursue in future, any negotiations with any other power whatever without giving previous notice, and entering into mutual consultation, with the Company's Government, and the Company's Government, on their parts, hereby declare that they have no manner of concern with any of his Highness's children, relations, subjects, or servants with respect to whom his Highness is absolute

(Aitchison, *Treaties and Sanads* (4th Ed), vi 52)

85. The Justification of the Mahratta War

From a Speech by the Marquess Wellesley in reply to an Address from the British Inhabitants of Calcutta, February 1804

The peace, which has been concluded,[1] comprehends every object of the war, with every practicable security for the continuance of tranquillity The object of the war was not to accomplish inordinate projects of extravagant conquest, not to subvert ancient and revered authorities, not to desolate flourishing provinces, not to plunder private property, nor to disturb the civil and religious institutions of contiguous states, nor to excite discord among powers connected by the relations of amity and peace The object of the war was, to vindicate and to secure the just and legitimate rights, interests, and honour of the British government and of its allies against usurpation, violence, and rapine The restoration of the legitimate authority of our ally the Peshwa at Poona, the establishment of our ally the Subadar of the Deccan[2] in his hereditary rights and dominions at Hyderabad, and the deliverance of the unfortunate and venerable emperor Shah Alam from the hands of the Mahrattas and French at Delhi, were the earliest effects of the success of our military operations During the progress of our arms every endeavour was employed to mitigate the horrors of war, even in the midst of hostilities, and to extend security and protection to the utmost limit compatible with the safety of our armies in the field

In the termination of hostilities, my solicitude has been directed to the important purpose of effecting a general pacification of India on principles of reciprocal justice and moderation The power, reputation and dignity of the British empire in India, will derive additional security and lustre from the establishment of peace and good order among the native states

In the pursuance of these principles, the treaties of peace provide the means not only of enlarging and consolidating the resources and power of our allies, but of guarding the less powerful neutral states from oppression, of placing the illustrious house of Timur in a condition of competent affluence, dignity, and honourable repose, and even of admitting our vanquished enemies to the benefits of a general defensive alliance, calculated to secure them in the independent exercise

[1] With Sindhia and Bhonsla. [2] The Nizam

of their actual rights, and in the uncontrolled government of their present dominions; to exclude usurpation, and to limit the several powers of Hindustan and the Deccan to the undisturbed cultivation of their separate resources, within the boundaries of their respective possessions I trust that the result of this system will prove equally advantageous to our interests and to our honour

The foundations of our empire in Asia are now laid in the tranquillity of surrounding nations, and in the happiness and welfare of the people of India In addition to the augmentation of our territories and resources, the peace has manifested exemplary faith and equity towards our allies, moderation and lenity towards our enemies, and a sincere desire to promote the general prosperity of this quarter of the globe The position in which we are now placed is suited to the character of the British nation, to the principles of our laws, to the spirit of our constitution, and to the liberal and comprehensive policy, which becomes the dignity of a great and powerful empire .

(*Wellesley Despatches*, III 582.)

86 Wellesley's Administrative Reforms

To the Directors, July 9, 1800

The great pressure of the numerous and important duties now performed immediately by the Governor-General in Council, has induced us to take a review of the constitution of the Government-General, considered as the supreme authority in India In the discussion of these important questions we have not hesitated to consider the extensive and valuable possessions to the government of which the Company have succeeded, as a great Empire To view those possessions in any other light, must, we are persuaded, always lead to the most erroneous conclusions as to the principles of policy by which they ought to be governed

The early administration of the Company succeeded to the despotic power of the native princes Those princes, as in other despotic governments, united in their own persons, the whole legislative, executive, and judicial powers of the State, and exercised them according to the dictates of their own discretion No form of Government could be so ill-adapted to these countries when they became dependent possessions

of the British Empire, subject to be governed by persons occasionally deputed from the Mother Country.

Experience of the evils attendant on this form of Government conducted by a delegated British administration, led to the modelling of the Government of Bengal, on principles drawn from the British constitution A distribution of the legislative, executive, and judicial powers of the state, analogous to that which forms the basis of the British Constitution,[1] was made the foundation of the new constitution of the Government of Bengal Considerations, however, arising out of the nature of our situation in this country demanded that these fundamental principles of the British Constitution should be introduced with a variety of modifications

The lines between these three authorities were distinctly drawn, but it was obviously necessary that the Governor-General in Council should exercise exclusively the entire *legislative* authority But at the same time that we excluded our native subjects from all participation in the legislative authority, abundant security was afforded to them, that the exercise of that authority would always be directed to their happiness and benefit The confirmation of their ancient laws in all matters connected with their religious prejudices, or their domestic relations, formed one of the first acts of the Governor-General in Council under the new constitution

Provision was also made for ascertaining the sense which the people might entertain of the laws and regulations enacted for the government of the country, by the authority given to the judges of all the Courts of Judicature to propose such general or local laws, as from their intercourse with the natives in the administration of justice, might appear to them necessary to promote the public happiness and prosperity As an effectual security against every abuse of the legislative power vested in the Governor General in Council, it was made a fundamental principle of the new constitution, that he shall print and publish every legislative Act in a form which renders him responsible to his country for the unjust or unwise exercise of that power

The *executive* authority was of necessity also exclusively vested in the Governor-General in Council

As constituting the Courts of *Suddet Diwani Adalat* and the *Nizamat* or the chief civil or criminal Courts, the Governor-

[1] This was a theory of the British constitution rendered popular by Montesquieu's *Esprit des lois*, but not strictly corresponding with the facts.

General in Council also exercises a large portion of the judicial power.

The reasons which originally occasioned the continuance of the entire legislative and executive authority in the Governor-General in Council, are obviously of a permanent nature There are no circumstances, however, connected with our political situation in this country, which require that the Governor-General in Council should continue to exercise any portion of the judicial authority It is equally necessary to the happiness of the people, to the prosperity of the country, and to the stability of the British Government, that such laws as the Governor-General in Council may sanction in his legislative capacity, should be administered with ability, integrity, impartiality and expedition It is essentially necessary that the security of private rights and property should be rendered altogether independent of the characters of those who may be occasionally placed at the head of your affairs in this country This, however, can never be the case, while the Governor-General in Council who makes the law, and whose acts in his executive capacity as well as those of the long train of officers who exercise authority under him in that capacity also, constitute the chief courts which control the general administration of justice No inconvenience can arise from divesting the Governor-General in Council of all immediate interference in the administration of the laws, while he has the power of altering at his pleasure the law itself

These considerations have induced us to determine . . that the Governor-General and the members of council shall not constitute the Court of *Sudder Dewani Adalat* in future, but that distinct judges shall be appointed to preside in that court, with all the powers and authorities now exercised by the Governor-General and the members of council, as the judges of that court We have also determined that the same judges shall constitute the Court of *Nizamat Adalat*, with all the powers now exercised by the Governor-General and members of council, as judges of that court

The establishment attached to the Governor-General in Council in his legislative and executive capacity, for the conduct of these various and important duties under circumstances peculiarly arduous and critical, has hitherto consisted of a secretary, and four sub-secretaries The assistants under these officers are necessarily incompetent to afford them any effectual aid, in their more important duties It is of the greatest im-

portance to the public interests, that the establishments of the several departments immediately connected with the legislative and executive capacity of the Governor-General in Council should be so constituted, as to ensure at the head of the respective departments, the assistance of men of ability, integrity and experience, competent to the due conduct of the ordinary duties of the government

The Governor-General in Council therefore determined to make the situations of the public officers, who are to be his instruments for the conduct of the government of the British possessions in India, offices of high honour, and of the first emolument This was the only mode of enabling the Governor-General in Council to command the services of men of the first talents and ability, in the respective departments

In this review of the constitution of the supreme Government of the Company's possessions in India, it could not escape the Governor-General in Council, that the wisest system of government will but imperfectly answer its ends, unless means are at the same time taken for providing persons duly qualified for the conduct of the system. It would be useless to enter into any argument to prove that the same general qualifications necessary for the first political, judicial, financial and commercial stations in Europe, are equally requisite for the due discharge of the duties of similar situations in India Your honourable Court can yourselves form an adequate judgment how far your servants are in general competent to discharge these high offices You know at what age they are sent from England, and what are at that period their qualifications for the offices to which they are destined You are also apprized how far the occupations on which the first years of their residence in India are employed, are calculated to give them these qualifications It is obvious that an education exclusively European or Indian, would not qualify your servants for the situations which they are destined to fill The foundation of their education must be laid in England, and it must be completed systematically after their arrival in India

The Governor-General in Council has, therefore, determined to found an establishment at this Presidency, of the nature of a collegiate institution, for the purpose of enabling the servants of the Company to perfect themselves in those acquirements, which form the necessary qualifications for the different lines of the service, in which they may choose to engage. It is our intention that the junior servants shall be attached to

this institution for a certain period after their arrival, instead of being employed in the unprofitable occupation of transcribing papers, and abandoned to the dictates of their own discretion, both with regard to their morals and requirements.

We feel that it would not only be impolitic, but highly immoral to suppose that Providence has admitted of the establishment of the British power over the finest provinces of India, with any other view than that of its being conducive to the happiness of the people, as well as to our national advantage

(*Well. Despatches*, 85.)

CHAPTER VII

THE DOWNFALL OF THE MAHRATTAS

Lord Minto and the Marquess of Hastings

1807–1823

THE advance made in the period of Wellesley had been much too rapid for the Directors and the home government. Wellesley's successors came out with strict injunctions to make no further acquisitions of territory, and to abstain from assuming new responsibilities in relation to native states Far from pursuing the war with the Mahrattas, Sir George Barlow, who held office for a short time after Wellesley's recall, made haste to patch up a peace with Holkar, and even pledged the British Government not to make any treaties with states over which the Mahrattas had any claims This included every state in India not already in alliance with the Company, but it especially referred to the small Rajput states of the north-west which had long groaned under the pressure of the Mahrattas, and were anxious to pass under the protection of the Company All their overtures were firmly refused

Lord Minto, who had been, as Sir Gilbert Elliot, one of Warren Hastings's prosecutors, went out to India in 1807 with the usual instructions He managed to observe them fairly well, yet even Minto could not altogether abstain from war and from treaties with native states He led an expedition to conquer Java from the Dutch, but Java was not in India And when the Treaty of Tilsit, between Napoleon and Russia, gave rise to the fear of a Franco-Russian land attack upon India, he sent

three of the most brilliant men in the service of the Company as special envoys to Persia, to Afghanistan, and to the Sikh kingdom of Ranjit Singh in the Punjab, thus for the first time opening definite relations with these states, and extending the British influence far to the north-west (Nos 89–91) But Minto's reign was on the whole placid and unperturbed There was a rather alarming military mutiny at Vellore (Madras) in 1809, but it was rapidly quelled There were disturbing movements of the Pindaris, organised bands of raiders who kept Central India in a perpetual unrest and sometimes invaded the territories of the Nizam and other English allies (see No 93). But the Pindaris were known to be under the protection of the great Mahratta princes, and friction with the Mahrattas must be avoided at all costs The chief worry of these years was the propagandist fervour of English missionaries, whose activity was due to the Evangelical Revival at that time stirring England It sometimes took rather offensive forms which were sternly discouraged, for it was the Company's principle that the most complete neutrality and protection must be maintained towards the various religions and customs of their empire (Nos 87, 88)

This interval of quiescence was indeed all to the good It gave time for the organisation of British government in the vast new provinces acquired by Wellesley And in this sphere much admirable work was done The Indian Civil Service has probably never produced a more able or statesmanlike group of men than those who served the Company during these years notably the great four—Mountstuart Elphinstone, John Malcolm, Charles Metcalfe, and Thomas Munro.

The work done by those men was so good that the legend of the iniquity of the Company's service vanished for ever, and when in 1812 a Select Committee of the House of Commons took the state of the Company's dominions into review on the renewal of its sovereignty for twenty years, its tone was very different from that of the Committees of 1772, 1782, or even 1792 There now appears (No 92) the note of pride in the Indian government as a great achievement, not of Power, but

of Justice. Warren Hastings, passing the peaceful evening of his days at his modest country house in England, knew that it was he who had begun this wonderful work, and that it would have been impossible without him England now knew this also When the old man was called to give evidence before the House of Commons, now beginning to understand the problem of Indian government, the whole House rose and stood uncovered as he entered and again as he left—a wonderful spontaneous tribute to the founder of just rule in India, which perhaps compensated for the bitter injustice of the impeachment

The quiet period of Minto s rule was followed by another period of rapid extension of power under Lord Moira (later created Marquess of Hastings), 1814–1823 This able and self-confident man was a friend of Warren Hastings and had learnt much from him But he had also been a severe critic of Wellesley s ambitious policy, and came out resolved to make no new conquests Nevertheless he was forced into two wars One was against the Gurkhas of Nepal, who had invaded the British territory lying below their mountain kingdom it was a hard-fought fight, and its result was a definition of frontiers and a lasting friendship with this little state, which henceforth provided some of the best fighting material for the Company's arms On this war we have not space for any descriptive excerpts The other, and more important, of these struggles was the final Mahratta war, which ended in the destruction of the Mahratta confederacy, the annexation of nearly all the Peshwa s lands and many of those of the other princes, and the bringing of the remaining Mahratta rulers definitely under British suzerainty It also led to the establishment of a protectorate over the little Rajput and other states of the North-West, and brought the boundary of the British Raj to the Sutlej and the Indus, leaving only the Punjab and Sindh outside the orbit of an empire which now, only sixty years after Plassey, extended uninterruptedly from the Himalayas to Cape Comorin The causes of this decisive war were twofold In the first place, the Pindaris, who were

organised bands of plunderers numbering in all some 30,000 becoming, because of their long impunity, more and more insolent, began to commit outrages within the British territory (Nos 94, 95) The description of the ravages of these miscreants gives some idea of the evils from which India was saved by British rule The most rudimentary duty to the subjects of the Company required that they should be rooted out. But they had their centres in the heart of the Mahratta country, and were under the protection of the Mahratta princes, who counted upon being able to use their strength in war In the second place, the Mahratta princes were secretly united in a plan, which only came to light gradually, for reviving their confederacy, disorganised by Wellesley, and for overthrowing the Company's power The attack on the Pindaris precipitated their rising Sindhia, indeed, promptly dealt with, remained unwillingly quiescent, but both the Peshwa and Bhonsla made treacherous attacks upon the British residents at their courts, and the forces of Holkar took the field to aid them The course of these events is very clearly shown in the text, which consists partly of official documents (Nos 96, 98–100) and partly of a series of excerpts from the Governor-General's private diary (Nos 94, 97) These documents make it absolutely clear that the war was not in any sense an aggressive war on the Company's side, and that the rearrangements and annexations by which it was concluded were quite necessary as a safeguard for future peace The Peshwa disappeared as a ruling prince, and Elphinstone undertook the organisation of his territories as a British province He retired with a handsome pension to Bithur, near Cawnpore, where his adopted son, Nana Sahib, was to play a terrible part in 1857 Holkar and Bhonsla were deprived of much of their territory, and both they and Sindhia were left in a position which made them incapable of again challenging the supremacy of the British power Their vassal-princes made treaties of dependent alliance with the Company, and the establishment of the Company's paramount power throughout India was completed.

87. THE COMPANY'S POLICY IN REGARD TO CHRISTIAN MISSIONS

The Court of Directors to the Governor of Fort St George.

May 29, 1807

In the whole course of our administration of the Indian territories it has been our known and declared principle to maintain a perfect toleration of the various religious systems which prevailed in them, to protect the followers of each in the undisturbed enjoyment of their respective opinions and usages, neither to interfere with them ourselves, nor to suffer them to be molested by others When we afforded our countenance and sanction to missionaries who have from time to time proceeded to India for the purpose of propagating the Christian religion, it was far from being in our contemplation to add the influence of our authority to any attempts they might make, for on the contrary we were perfectly aware that the progress of such conversion will be slow and gradual, arising more from a conviction of the principles of our religion itself, and from the pious examples of its teachers, than from any undue influence or from the exertions of authority, which are never to be resorted to in such cases

(*Lord Minto in India*, 63)

88 MINTO'S CRITICISM OF THE MISSIONARIES

Lord Minto to the Chairman of the East India Company, 1807

Let me recommend to your serious consideration the principal publications which have issued from the Serampore press,[1] in the native languages, the sole effect of which was not to convert, but to alienate, the professors of both religions prevalent amongst the natives of this country Pray read especially the miserable stuff addressed to the Hindus, in which . without proof or argument of any kind, the pages are filled with hell fire, denounced against a whole race of men for believing in the religion which they were taught by their fathers and mothers, and the truth of which it is simply impossible it should ever have entered into their minds to

[1] The Mission Press worked by the group of missionaries, of whom William Carey was the most famous. Their headquarters were at the Danish settlement of Serampore.

doubt. Is this the doctrine of our faith? . . . If there are two opinions among Christians on this point, I can only say that I am of the sect which believes that a just God will condemn no being without individual guilt A total abolition of caste is openly preached Is it possible that your Government should be required to countenance public exhortations addressed to a Hindu nation to efface at once, not a little spot of yellow paste from the forehead, but the whole institution of caste itself, that is to say, their whole scheme of civil polity as well as their fondest and most rooted religious tenets? This is to be accomplished by coarse and scurrilous invective against the most revered order of Hindu society[1] and addressed to that order itself

I leave you to form your own judgment on these performances, which will be that of a Christian gentleman I am no enemy to the progress of Christianity in India It is the way, I observe, of some who are personally engaged in the work of conversion to confound any little check in correction of their own errors with opposition or hostility to their purpose, and to call out Atheism, Deism, and above all persecution, whenever a slip in their own conduct has required to be rectified

I do not think we should be justified in refusing the dispensation of the Christian revelation to this great country for our interest or security, but I am not equally ready to sacrifice the great interests which are confided to me to a blind principle of complaisance towards every indiscretion which zeal or negligence may commit

(*Lord Minto in India*, 78)

89 The French Danger and British Relations with the North Western Powers

Lord Minto to the Directors, February 2, 1808

As long as France might be engaged in continental wars in Europe, the project of directing her arms towards this quarter must be considered impracticable, but if her armies have been liberated by a pacification with Russia,[2] and by the continued submission of the Powers of Europe, the advance of a considerable force of French troops into Persia under the

[1] The Brahmins.

[2] The reference is to the Treaty of Tilsit between Napoleon and the Tsar of Russia, 1807. This agreement was believed to include a plan for a joint Franco-Russian advance on India

acquiescence of the Turkish, Russian, and Persian powers, cannot be deemed an undertaking beyond the scope of that energy and perseverance which distinguish the present ruler of France.

The ascendancy of France being once established in the territories of Persia it may justly be expected that they may be enabled gradually to extend their influence towards the region of Hindostan, and ultimately open a passage for their troops into the dominion of the Company

Arduous as such an undertaking must necessarily be, we are not warranted in deeming it in the present situation of affairs to be altogether chimerical and impracticable under the guidance of a man whose energy and success appear almost commensurate with his ambition We deem it our duty to act under a supposition of its practicability, and to adopt whatever measures are in our judgment calculated to counteract it, even at the hazard of injury to some local and immediate interests

(*Lord Minto in India*, 101)

90 The Embassy to Persia

Instructions to Colonel Malcolm,[1] 1808

(Malcolm's embassy was ineffective Its chief result was his book on Persia)

First, to detach the Court of Persia from the French alliance, and to prevail on that Court to refuse the passage of French troops through the territories subject to Persia, or the admission of French troops into the country If that cannot be obtained, to admit English troops with a view of opposing the French army in its progress to India, to prevent the cession of any maritime port, and the establishment of French factories on the coast of Persia

Second, to obtain authentic intelligence on all points interesting to the Government Colonel Malcolm's opinion and advice would also be required by the Government as to the policy to be adopted in either of two contingencies supposed—the active hostility of Persia, or her neutrality

(*Lord Minto in India*, 110)

[1] Sir John Malcolm, special envoy to Persia, afterwards Governor of Bombay, and author of several standard works on India

91. The Missions to Afghanistan and the Sikhs

Lord Minto to the Board of Control, February 10, 1808.

If the views of the enemy should extend to the direct invasion of India by an army proportioned to that undertaking, their march must probably be to the Indus, and must lead through the kingdom of Kabul[1] and the territories of Lahore,[2] as well as through the countries of several independent chiefs situated between Persia and the Company's possessions It has appeared to be extremely desirable to push forward a British agency as far beyond our own frontiers, and as near the countries from which the enemy is to take his departure as possible

(*Lord Minto in India*, 142)

Minute by Minto, June 1808

The object proposed is to conciliate the Princes who govern the states of Kabul and Lahore, to obtain their consent to the passage of our troops through their country, or their admission into their territories, for the purpose of opposing a French army in their projected invasion of Hindostan, and our hope also is to establish such defensive engagements with those Governments as may obtain their co-operation, or at least their friendly aid and assistance, to our military operations and to our cause generally

I am persuaded that the Commander-in-Chief will agree with me in considering it at least as questionable whether in the event of Kabul and Lahore proving hostile, or becoming so, it would be advisable to penetrate through their countries or to enter them at all

It is well known that the habitual and undistinguishing jealousy which is the personal character of Ranjit Singh, and is said to characterise also the regions in which his territories are situated, has been directed specifically against the British Government

It is the business of the proposed mission of Mr Metcalfe[3] to remove these suspicions, and to plant in their room the seeds of confidence and union This must be done in my opinion by a frank, open, and sincere avowal of our ultimate

[1] Afghanistan
[2] Capital of the Punjab and of the Sikh Empire under Ranjit Singh.
[3] Charles Theophilus Metcalfe, afterwards Lord Metcalfe.

objects; and the best support which can be given to our negotiation must be a scrupulous and delicate conduct in every point of our intercourse with him .

With regard to Kabul the objection is precisely similar With the King of that country we have never had any intercourse whatever I hope that a sense of common danger, and a real identity of interests, may in the very able hands to which this mission is committed,[1] become a foundation of solid union and of zealous and efficient co-operation But here the work of confidence is to begin All is yet to do, and I rely for success—here as at Lahore—only on the candid explanation of our true and real purpose, countenanced and supported by a general sincerity of demeanour and by the absence of all those traces of indirect and collateral design which, while they frequently fail in their own object, are very apt to frustrate and disappoint every other with which they are in any way connected

(*Lord Minto in India*, 148)

92 English Pride in the Government of India

From the Fifth Report of the Select Committee of the House of Commons, 1812

Your Committee have felt it a part of their duty to offer some account of the nature and history of (the establishments for the internal administration of India) trusting that such an account will be acceptable to the House as evincing the unremitting anxiety that has influenced the efforts of those to whom the government of our Indian possessions has been consigned, to establish a system of administration best calculated to promote the confidence and conciliate the feelings of the native inhabitants, not less by a respect for their own institutions than by the endeavour gradually to engraft upon them such improvements as might shield, under the safeguard of equal laws, every class of people from the oppressions of power, and communicate to them that sense of protection and assurance of justice which is the efficient spring of all public prosperity and happiness

Although imperfections are found in the system of internal government in the Bengal provinces, yet it can, in the

[1] Mountstuart Elphinstone, afterwards Resident at Poona and later Governor of Bombay.

opinion of your committee, admit of no question, whether the dominion exercised by the East India Company has on the whole been beneficial to the natives If such a question were proposed, your committee must decidedly answer it in the affirmative The strength of the government of British India, directed as it has been, has had the effect of securing its subjects as well from foreign depredation as from internal commotion. This is an advantage rarely experienced by the subjects of Asiatic states, and combined with a domestic administration more just in its principles, and exercised with far greater integrity and ability than the native one that preceded it, may sufficiently account for the improvements that have taken place, and which, in the Bengal provinces, where peace has been enjoyed for a period of time perhaps hardly paralleled in oriental history, have manifested themselves in the ameliorated condition of the great mass of the population, although certain classes may have been depressed by the indispensable policy of a foreign government The nature and circumstances of our situation prescribe narrow limits to the prospects of the natives in the political and military branches of the public service strictly speaking, however, they were foreigners who generally enjoyed the great offices in those departments, even under the Mogul government but to agriculture and commerce every encouragement is afforded under a system of laws, the prominent object of which is to protect the weak from oppression, and to secure to every individual the fruits of his industry

The country, as may be expected has, under these circumstances, exhibited in every part of it improvements on a general view, advancing with accelerated progress in latter times

93 The Pindaris

From a Memorandum by Captain Sydenham towards the close of 1809

The Pindaris generally invade a country in bodies of from four thousand to one thousand each. They advance to the frontier with such rapidity, that the account of their depredations is generally the first intelligence of their approach As soon as they pass the frontier, they disperse in small parties of from five hundred to two hundred each They are not encumbered with tents, or baggage of any description They carry nothing but their arms, and their saddlecloths are their beds;

both men and horses are accustomed to endure extraordinary fatigue. They make long and successive marches They never halt except to refresh themselves, to collect their plunder, and to indulge their passions of lust and cruelty They subsist themselves and their horses on the grain and provisions which they plunder on their march They carry off every thing which is valuable and easy of conveyance, what they cannot carry off they wantonly destroy They beat and wound and murder the unfortunate inhabitants They compel them to clean their horses, to provide forage, to collect provisions, and to carry such parts of their plunder as are too bulky to be put upon their horses They seldom leave a village without setting fire to the houses and grain

They avoid fighting for they come to plunder, not to fight They have neither encampments nor regular halting places They move to a certain distance, and halt a few hours to refresh themselves and their horses, they then resume their march

Their movements are equally rapid and uncertain Being dispersed into small bodies, and marching in any direction where they expect plunder, it is difficult to procure certain intelligence of their position or their numbers They retire with nearly the same rapidity as they approach and they have generally reached their strong-holds, and secured their booty, before a Government can adopt any actual measures to repel them

The incursions of these common enemies to peace and tranquillity are as regular as the periodical returns of the monsoon The blessings which a bounteous Providence showers at stated periods upon the thirsty plains of the Deccan, are as regularly defeated by a host of plunderers, who seem to wait with malicious pleasure till the crops are ripe upon the ground, in order that the unfortunate husbandman may be robbed of the fruits of his labour, at the moment when he ought to reap them The extirpation of such a race of men would be not only a measure of policy, but a service to humanity itself

It would appear that the number of the Pindaris has been gradually increasing for the last four years, and it probably amounts at present to twenty-five thousand Their numbers, strength, and resources, will probably continue to increase rapidly They are already possessed of considerable tracts of land, and their possessions will of course be more extensive. Some parties of them appear to be in the service, or at the

acquiescence, of Holkar and Sindhia; other parties do not appear to be attached to any chieftain . . The Raja of Berar at one time proposed to take a body of them into his service, and to allot for their subsistence lands near the river Nerbudda. As their numbers and resources increase, their importance will become greater

(E.I.C., Papers on Pindari and Mahratta Wars, 1824, p. 1.)

94 The Pindaris and the Mahrattas

From the Private Journal of the Marquess of Hastings.

(Lord Hastings kept a diary for the information of his daughters during the most important part of his governorship It was subsequently published in two volumes by his daughter the Marchioness of Bute, and forms a document almost unique among the records of British India Only the entries bearing on the Pindari and Mahratta wars are here printed.)

Feb 1*st*, 1814—The whole of the district between the Hugli and Ragoji Bhonsla's[1] territories is totally devoid of troops and unprotected None can be spared to it from the pressing demands of other quarters Yet it is from that frontier of the Raja of Berar that an incursion of Pindaris, who would find no opposition in traversing part of his dominions, is most likely to be made into our richest provinces The aggregate of the force which could be produced by the several Pindari leaders is estimated at 30,000, principally cavalry. These are professedly freebooters Their occasional plunder of districts belonging to the Raja of Berar, the Nizam, and Daulat Rao Sindhia, which always take place when their exactions from the petty independent states do not answer their wants, are winked at Those sovereigns have no sensibility for the sufferings of their subjects They only calculate the diminution which their revenue may undergo, setting against that loss the convenience of being able on the sudden to take into their pay such a swarm of light troops in case of any breach with this government

Holkar's dominions being exhausted, his army must ravage some other country, otherwise it will dissolve, and he is now negotiating with the Pindaris for a joint attack on Nagpur. This object, on a former occasion, was held so eventually

[1] The easternmost of the Mahratta princes. His capital was Nagpur, in the (modern) Central Provinces, but he was commonly called the Raja of Berar.

injurious to us that Lord Minto raised an army to march (though under no obligation of a treaty) to protect the Raja, and baffled the undertaking. . The unfortunate Rajput states of Jaipur, Jodhpur, Udaipur, mercilessly wasted by Sindhia, Holkar, Amir Khan, Mahomed Shah Khan, and the Pindaris, have assailed me with repeated petitions to take them under protection as feudatories to the British Government The inexplicable treaty by which Sir G Barlow, without receiving any consideration for the pledge, bound this Government in an engagement with Sindhia and Holkar not to interfere in any way with the Rajput states, would render it a direct breach of public faith were we to take a step equally counselled by a generous humanity and by an unquestionable interest

April 15th, 1816 —I have this day read a letter from the Guntur Sarkar, on the Coast,[1] stating a very affecting circumstance A village was surrounded by the Pindaris The horrors perpetrated by these demons at other places made the poor villagers, totally unarmed and incapable of resistance, fly to the desperate resolution of burning themselves with their wives and children The houses were all of wood and palm-leaf mats , so that most of them being set fire to at once, the dreadful sacrifice was immediately fulfilled Some boys who had not the courage to bear the flames escaped, and explained the circumstances All the rest of the inhabitants perished , and I am strictly forbidden by the Court of Directors to undertake the suppression of the fiends who occasioned this heart-rending scene, lest I should provoke a war with the Mahrattas. Hundreds of women belonging to other villages have drowned themselves in the wells, not being able to survive the pollution they had suffered All the young girls are carried off by the Pindaris, tied three or four, like calves, on a horse, to be sold By the report of Lieutenant-General Sir Thomas Hislop to me, the different columns which penetrated the Nizam's territories and ours, in this last irruption of the Pindaris, could not amount to less than 23,000 horse They carried off booty to the value of more than a million sterling

[1] *I.e.* the Coromandel Coast. Guntur is near the mouth of the River Kistna.

95 A Pindari Raid

Report of a Commission on the Pindari Raid of 1816.

Jan. 31, 1817.

19 On their arrival at a village of any consequence every man was first seized, and his arms being secured, he was thrown to the ground, and ashes or dust applied to his face A quantity of ashes being first put loosely into a cloth, which was then placed over his head, was repeatedly beat until the sufferer's mouth and nose became filled , and to make the pain more severe pounded chillies, when they could be procured, were added to the ashes Rice beaters, or yokes taken from the plough, were converted into other instruments of torture while one was placed under the back, a second was fastened over the chest, on either side of which a Pindari pressed his whole weight, and while in this situation many were unmercifully beaten Seventy persons died under this treatment, and vast numbers are now suffering from it, of whom not a few continue in a dangerous way Two persons were burnt to death , several were forced down wells, of whom one was drowned , others while their heads were held back by their hair, had water poured into their nostrils When these modes of inducing the sufferers to disclose their property had been pursued until it was imagined they had given all they were possessed of, they were only released to assist in conveying their property to the Pindari camp, where they were employed in watering, feeding, and cleaning the horses

23 The Pindaris were eleven days and a half in the Company's territories The total number of the villages they plundered were three hundred and thirty-nine, of persons killed one hundred and eighty-two, of persons wounded five hundred and five (one hundred and eighty-four severely), and three thousand six hundred and three persons were tortured in different ways

(E.I C , Papers on Pindari and Mahratta Wars, 1824, p 54.)

96 The Directors Authorise Action

From the Directors to the Governor-General.

26th September, 1816.

1 Since we addressed to you our letter of the 5th instant, we have received from the Governor in Council at Fort St.

George a despatch dated the 29th of April, giving an account of an irruption of the Pindaris into some of the districts under that Presidency, attended with circumstances of uncommon atrocity, and terminating in their successful retreat with the plunder which they had collected

2 This expedition appears to have been of an infinitely more audacious character than any of which we had previously been apprized On former occasions parties of the Pindaris have extended their incursions with temporary success into the British territories, but we have not before had to notice an invasion so systematically directed against our provinces, so disastrous in its effects, and perpetrated with such entire impunity

11 With respect to the Raja of Berar, our former instructions have been sufficiently precise, as authorizing an engagement with that prince directed specifically against the Pindaris.

13 Your language to Sindhia and Holkar will be guided by the view which you may take, first, of the degree of which either of them may be suspected of having assisted or countenanced the Pindaris in any measures hostile to us or our allies, and secondly, of the necessity or advantage of a passage through his territories, or of the occupation of a post in them for the success of your operations

14 An avowed co-operation with the Pindaris against us or our allies, on the part of Sindhia or of Holkar, would of course place you in a state of direct hostility with the offending chief

22 The dreadful cruelties which, we are informed, were committed by these freebooters on the inhabitants of the villages have excited our warmest indignation

23 To protect these peaceful inhabitants against such outrages, is a duty which no apprehension of inconvenience can justify us in leaving unperformed

(E I C, Papers on Pindari and Mahratta Wars, 1824, p 40)

97 The Pindari and Mahratta War

From the Marquess of Hastings's Private Diary

June 1st, 1816 —This day has brought to me the treaty of alliance by which Nagpur in fact ranges itself as a feudatory State under our protection A singular contention of personal interests at the court of that country, resulting from the unexpected death of Ragoji Bhonsla, the late Raja, has enabled me

to effect that which has been fruitlessly laboured at for the last twelve years Though dexterity has been requisite, and money has removed obstructions, I can affirm that the principles of my engagement are of the purest nature. Parsoji Bhonsla, only son of the late Raja, succeeded to the *masnad* without opposition He is blind, and used to remain unseen in the palace but when his elevation gave people the opportunity of examining him, he was discovered to be literally an idiot. His cousin, Apa Sahib, an active sensible man, about twenty years of age, is presumptive heir to the *masnad*, Parsoji having no children Aware that there is a strong party against him in the palace, he feared that Parsoji might be made to adopt a son which, according to Mahratta institutions, would cut out Apa Sahib The latter had to apprehend that this would be a machination of Sindhia's with the women of the palace and he foresaw that in such an event Sindhia would support the adopted child with troops, in order to acquire the rule over Nagpur

Under these impressions, Apa Sahib was not difficult to be worked upon He is confirmed in his legitimate power, and he is ensured against the adoption by my professing to consider Parsoji incapable of the volition necessary to the act This is most strictly true, for the poor Raja has no wish or will beyond eating and sleeping The security, therefore, to Apa Sahib is only simple justice I believe the advantage of our having thus converted Nagpur from a very doubtful neighbour into a devoted friend is universally felt here, yet the whole extent of the gain will not be thoroughly computed The arrangement totally oversets the plan at which Sindhia has been secretly working for inducing the Peshwa to re-establish the Mahratta confederacy and it renders the interception of the Pindaris, should they venture another inroad into our southern territories, almost certain I regard this event as giving me the fairest ground of confidence that I shall be able to achieve all I wish to effect for the Company's interest without any war This rests on our presumption of the Peshwa's fidelity

October 19th, 1816 —A serious expostulation has been made by this government with the Peshwa That worthless favourite,[1] whom we had confined for the murder of the Gaekwar's

[1] Trimbakji Danglia, a dependent of the Peshwa. He had murdered Ghangadhur Shastri, minister of the Gaekwar of Baroda, who had gone to Poona at the request of the Company in order to arrange some disputed points between the Gaekwar and the Peshwa.

minister, when the latter had come to Poona on the pledge of our protection, and who escaped from that confinement, has been privately corresponding with the Peshwa; and the latter has been (secretly as he thought) raising troops. Our knowledge of these levies was intimated to the Peshwa, and the danger he was incurring was frankly stated to him. After much discussion he promised solemnly to disband the levies, and to surrender the favourite, Trimbakji Dangha, should the latter put himself in his Highness's power The assemblage of forces is stopped, but the profession respecting Trimbakji Dangha is nugatory These native princes have all a curious mixture of the frowardness and inconsequence of children, with a dexterous cunning and a daring spirit of enterprise. The frequent recurrence of these discussions, any one of which may produce extensive flame, is a matter not at all comprehended at home, where the tranquillity of India is imagined to depend wholly on our pleasure

December 23rd, 1816 —The ravages of the Pindaris in the Ganjam district, with the consequent danger of Cuttack and the extent of depredation committed by these atrocious banditti in the territories of our ally the Nizam, have at length induced my colleagues to record an unanimous opinion that the extirpation of the Pindaris must be undertaken, notwithstanding the orders of the Court of Directors against adopting any measures against those predatory associations which might embroil us with Sindhia No step could be taken for the suppression of those gangs which would not have a tendency to involve us in hostilities with Sindhia and Holkar, who regard the Pindaris as their dependents To draw the full benefit from the fortunate sentiment now expressed by my colleagues is not practicable immediately I shall, however, avail myself of this declaration of Council to pin Sindhia to one point or the other The resolution of suppressing the Pindaris shall be communicated on my part to Sindhia, and the question shall be put as to the conduct he will in that event observe

January 22nd, 1817 —The determination of Sindhia is announced He desired to reflect before he answered the communication which I caused the Resident to make to him He then sent for the Resident, said he would depend upon me, and would join in the extirpation of the Pindaris, though it would be advisable not to let the intention be known at the instant, but hoped I would have no objection to his occupying the lands whence the Pindaris should be driven

March 23rd, 1817.—An embarrassing scene has opened to us. Towards the close of last year we discovered traces of many intrigues of the Peshwa's, which bore the appearance of hostility to us. . . . Negotiations had been going on with the late Raja of Nagpur, with Sindhia, with Holkar, and with the Geekwar We persuaded ourselves that he only aimed at a re-establishment of his supremacy over the other Mahratta states; a dignity which he might conceive to be only nominal, but which would, in fact imply the continuance of that confederacy of the Mahrattas intended to be for ever barred by the treaty of Bassein The death of Ragoji Bhonsla, and our consequent treaty with Nagpur so totally overset the plan of a Mahratta combination, that I think we followed up the clues which we had procured with less attention than we ought to have done Enough, however, had been detected to make it expedient that I should write to the Peshwa for the purpose of showing him that we were apprised of what he had been doing He declared that his agents had gone beyond his instructions, which only went to obtain a titular pre-eminence among the Mahrattas, and that, as he was now conscious even that step was wrong, he threw himself wholly on our generosity, imploring us to rely implicitly on his good faith and attachment to a government to which he owed his dominions We were so anxious to conciliate him, that we would not let him perceive our knowledge of a subsequent transaction most suspicious in its appearance At length his sincerity and honour have been displayed in their true light He had renewed his solicitations for the pardon of Trimbakji Danglia In my letter I explained to his Highness the imputation of his being an accomplice in the murder of Ghangadhur Shastri which would unavoidably follow his Highness's intercession

This appeared to have produced the due effect Shortly after, however, the Peshwa renewed his application to the Resident, and on Mr Elphinstone's[1] urging to him the objections his Highness broadly said that what was refused to solicitation might be extorted by force The Resident, in temperate and respectful terms, represented the unfitness of such a threat The Peshwa did not endeavour to explain away the words, but he did not repeat the menace, and the matter was passed over as a momentary ebullition of peevishness Little time had elapsed before Mr Elphinstone received in-

[1] Mountstuart Elphinstone, special envoy to Kabul in 1809, now Resident at Poona, and later Governor of Bombay

formation of the secret enrolment of troops throughout the Peshwa's dominions, and even of a considerable assemblage of them under Trimbakji Danglia Having communicated this to the durbar, the Resident was astonished to find his representation met by an absolute denial of the fact On his insisting on the accuracy of his intelligence, and quoting particulars which showed how thoroughly he was apprised of what was going forward, it was promised that a body of horse should be immediately sent to disperse the collection of troops if any existed Mr Elphinstone was not to be duped He was not entitled to question the sincerity with which the body of cavalry was despatched, but he attached to it private emissaries of his own, instructed to watch and impart to him the proceedings of the Mahratta commander From them he speedily learned the cavalry were placed in the midst of a number of villages filled with Trimbakji's troops, to whom the former gave no obstruction or trouble Furnished with these particulars he waited upon the Peshwa, who produced to him a letter from the commander of the cavalry declaring that there were no troops collected in the vicinity, or anywhere else that he could learn Mr Elphinstone opposed to this report the precise intelligence which he had received from his emissaries on the spot He moreover exhibited to the Peshwa a list of the troops which his Highness had summoned to the capital These combined indications of hostility, the Peshwa was informed, had been communicated to me, and the Resident anxiously pressed his Highness to reflect and trace back his steps, so as that when my orders, the tenor of which Mr Elphinstone could anticipate, should arrive, the Resident might have a justification for suppressing them The Peshwa received the remonstrance haughtily and slightingly Mr Elphinstone told him that, as the cavalry which had been detached for the purpose had not acted, he should direct a part of the subsidiary force [1] to attack the insurgents as rebels against his Highness s Government, unless his Highness chose to protect the assemblage with his sanction, which would be tantamount to a declaration of war The Peshwa, not being prepared for so sudden a crisis, made no objection, but immediately after this conference gave instructions for redoubled activity in levying troops and putting his fortresses in a state of defence

[1] The British force maintained in the Peshwa's territories in accordance with the Treaty of Bassein

April 19th, 1817.—Trimbakji's troops have been routed with severe loss in two gallant attacks made upon them by detachments from the subsidiary force. . . . It is not known whither Trimbakji has fled We have obtained complete proof of the extensive and desperate treachery of the Peshwa. It appears that even in the autumn of last year he was soliciting Sindhia, Holkar, Amir Khan, the Gaekwar, the Raja of Nagpur, and the Nizam, to join with him and drive the English out of India Sindhia and Holkar had promised to assist him against us, but I deceive myself much if I leave them the power of stirring I am satisfied that none of them, not even the Peshwa, are aware of the degree in which I have silently and gradually augmented the divisions on the southern frontiers of the Mahrattas from a timely conception of the exigencies likely to occur Those different bodies, in fact armies, are in positions which would allow of their acting instantaneously, and they intercept the communication between the native powers as far as regards the march of bodies of troops Still, this perfidy of the Peshwa's is very unfortunate when the ticklish undertaking for the extirpation of the Pindaris is coming forward to execution A vigorous decision was requisite, and it has been taken

May 26th—The blow has been successfully struck against the Peshwa Colonel Smith was ordered to advance his division, in separate detachments, with as little parade as possible, to situations whence by a forced march they might unite at Poona The Resident was instructed, as soon as the troops should be in those forward stations, to demand an audience of the Peshwa, and to deliver to him this option; instant commencement of hostilities, or an engagement on his Highness's part to deliver up Trimbakji to the British Government within one month Should his Highness accept the latter alternative, his three strongest fortresses must be put into possession of Colonel Smith as security for his Highness's good faith On this condition he would not be removed from the *masnad*,[1] but, as the deep and persevering treason which had been carried on against the British Government must prevent any future confidence in his friendship, his Highness's means of injuring us would be diminished by a defalcation from his power, though the alliance should in point of form continue . Four-and-twenty hours were allowed to the Peshwa for his determination He affected to treat the

[1] Throne.

communication lightly, as if he had already taken his part and resolved to abide by it. I think he had expectation to the last of being succoured by Sindhia and Holkar. Whether or not he received intelligence of their inability to stir is doubtful; but after having let the day and the earlier part of the night pass in apparent indifference, about midnight he sent to treat with the Resident The latter answered that he had no powers to negotiate, he had received specific instructions leaving him no latitude The Peshwa let the twenty-four hours expire This was expected, and provision had been made for the occurrence At eight in the morning, the heads of the different columns appeared before Poona, and the necessary positions being previously fixed, the city was immediately invested The inhabitants were so confident in the discipline of the British troops, that they did not show the least agitation The Peshwa sent his ministers to profess his unqualified submission Orders were put into the hands of the Resident for the delivery of the three forts, and a proclamation has been issued, offering two lacs of rupees (£20,000) for the capture of Trimbakji

June 28th, 1817—The new treaty by which the Peshwa subscribes to the exacted cessions, has arrived[1] These terms are in themselves severe The extreme of deposing him was altogether repugnant to my feelings as long as our absolute safety did not require the procedure Relaxations or partial restorations may be practicable should we find him steady and honourable hereafter, but his disposition is so radically bad that I have little hope of his meriting favour In the meantime we have trampled under foot a mischief which might have become serious

July 8th, 1817—Embarked from Calcutta for the Upper Provinces, with the fervent hope that I may be the humble instrument for extinguishing an evil which has become a bitter scourge to humanity The horrors committed by the Pindaris exceed all imagination Having for some time back had the means of getting at the correspondence between the Pindari chiefs, Sindhia and Amir Khan, I find the strongest assurances from the two latter of support to the Pindaris when the British shall attack them

September 28th, 1817—The Resident has explained to Sindhia the necessity for Sir Thomas Hislop's marching across

[1] Lord Hastings summarises the terms of the treaty, but they are here omitted, as they were soon to be nullified by the deposition of the Peshwa.

a part of his Highness's dominions to attack the Pindaris, Sindhia seemed quite unprepared for such a communication. He was confused, said he must consider on the point, and repeated often that he was taking measures for destroying the Pindaris

September 30th—Sindhia has subscribed to the requisition of the Resident, and has issued an order to his different commandants to receive the British troops as friends, and to give them every facilitation in their march to the Nerbudda His Highness has further desired that I should be assured of his disposition to follow my wishes in every respect I have perfect information that he has agents with Holkar, Amir Khan, and Ranjit Singh, urging those chiefs to join him in opposition to us Of this no notice must be taken

October 31st, 1817—Daulat Rao Sindhia has swallowed his potion, and Heaven knows it was a bitter drench for him He agrees to co-operate with all his forces against the Pindaris, to prevent the establishment of any similar association in his dominions, to give free passage to the British troops through all his territories in pursuit of the Pindaris, and to put me in possession of two of his fortresses for the security of our communications

November 7th, 1817—The treaty arrived last night, executed by the Maharaja [1] I should have thought myself oppressive had he not been so thoroughly false a fellow The engaging to co-operate in the extirpation of the Pindaris, whom he has fostered—to whom he has plighted protection, and who really have hitherto constituted a material part of his strength, must be deeply mortifying Important as those points are, they fall short in that respect of our emancipation from the article in our treaty of 1805, by which the British Government had debarred itself of the right of entering into relations with any state over which the Mahrattas claimed prerogatives As the Mahrattas advanced this pretension with regard to every state of central India, except Jaipur, this strange gratuitous engagement prevented our forming any confederacy which should check Mahratta combinations Every state, quite to the Indus, has solicited me to take it under British protection, but I have, till now, been restricted from meeting the petition In consequence of the present treaty, I shall immediately fashion this league of the Western States, guaranteeing to Sindhia or Holkar any acknowledged

[1] Sindhia.

dues from those states which prescription has established. Before the signature of the treaty, it was distinctly explained to Sindhia that Kota, Bundi, and Kerauli would be taken under British protection, with the above reservation of his interests as to any annual payment from them They will, in our hands, be barriers, interposed between him and Holkar He must have felt that consequence, but he was unable to struggle We are in a fair way of achieving arrangements which will afford quiet and safety to millions who have long been writhing under the scourge of the predatory powers, as well as under the ferocious cruelty of the Pindaris I trust that my soul is adequately grateful to the Almighty for allowing me to be the humble instrument of a change beneficial to so many of my fellow-creatures

November 21*st* 1817 —Accounts have just reached us that the Peshwa, on the 6th instant, attacked the Residency at Poona No circumstance is communicated further than that the Peshwa was repulsed with great loss The attack must have been most treacherous, and made with enormous superiority of numbers We have to rejoice in the issue of this attempt, not less on account of the safety of so valuable a person as Mr Elphinstone, than on the infliction which the perfidy of the Peshwa receives He ought to have been removed from the *masnad* when we were forced to punish his former machinations

December 12*th*, 1817 —We have received an account that on the 27th November the Raja of Nagpur attacked the British Residency, but was beaten off Nothing can exceed the baseness and ingratitude of this conduct

December 16*th*, 1817 —The detail of the affair at Nagpur has reached us The repulse of the Raja has been a glorious effort of bravery on the part of our troops The Resident, Mr Jenkins, had with him only two battalions of Native Infantry, his own escort of two companies, and three troops of the 6th Native Cavalry the whole not exceeding 1350 rank and file The force led against them by the Raja was estimated at 20,000, with thirty-five pieces of cannon The action was renewed at intervals during several hours, but at length terminated in the complete discomfiture of the Raja The despicable animal had the meanness after the defeat to send a message to the Resident, professing his sorrow for what had happened (his sorrow at not having been able to murder an ambassador residing on the faith of alliance at his court !),

and his hope that matters might be restored to the ancient footing Mr Jenkins answered that the Governor-General alone could determine that point

January 13*th*, 1818—The definitive treaty of Holkar's submission has arrived It would, at all events, have been just to punish that Government for its extraordinary faithlessness. After having anxiously solicited to be taken under British protection, and having received the kindest assurances of it, the Regent Bhai (stepmother to young Holkar), on the Peshwa's taking the field, immediately collected Holkar's army, and declared the resolution of supporting her master, as the Peshwa was termed by her This proof of the persisting adherence of the Mahratta states to each other, added to the great amount of force produced by the Regent, with the aid of but a moderate sum from the Peshwa, rendered it necessary to reduce the future means of Holkar to very narrow compass The territory now left to him will not at present yield to him above sixteen lacs of rupees, or £200,000 yearly, but after five or six years of decent management it will more than double that revenue Part of his possessions is assigned to Amir Khan, who, with fifty-two battalions and a large force of cavalry might have given us no little trouble, had we not made him see that his security and his interest would be better consulted by his attaching himself to us than by his taking a contrary part. Zalim Singh of Kota, gets another large portion of Holkar's territories Extensive districts, on both banks of the Nerbudda, are ceded to us Sindhia, who has hardly disguised his intention of taking the field, should our game become embarrassed, will probably now be satisfied that he has nothing for it but to be quiet

98 THE RESULTS OF THE WAR

From the Marquis of Hastings to the Court of Directors.

8th February 1818.

All essential operations (except in the State of Poona) being now terminated, and our arrangements having taken their destined shape, I do myself the honour of stating to you the general issue of the campaign

Matters had a different turn from that on which every probability authorised me to reckon, as soon as the treaty was signed by Daulat Rao Sindhia The engagements to which

he subscribed were an acknowledgment of his inability to counteract the measures contemplated against the Pindaris; and no other Power appeared to have either inducement or means to support the banditti against the force which we had put into motion No surmise existed of other ground of contest The perfidious endeavours of the Peshwa to excite the Native Sovereigns against us were, indeed, known, but it did not seem natural that they should have made any impression, far less could it be suspected that absolute obligations for co-operating with him had been plighted.

From the above prospect, no result could enter less into the speculation of your Government, than that any advantage should be acquired for the Honourable Company, beyond the establishment of a pacific system in Central India The suppression of a powerful body, professedly banded for the purpose of indiscriminate plunder, and which accompanied its rapine with acts of the most atrocious inhumanity, was in itself an enterprise becoming a British Government That our motives might be thoroughly unequivocal, it was my anxious wish that the reputation of so laudable a service should alone remunerate the Honourable Company for the effort, and, with a premature confidence, I took the liberty of expressing to you my joy at the likelihood of our accomplishing the end, without a particle of defalcation from the possessions of any Native Sovereign If those hopes have been defeated, it will appear not to have been through any provocation on our part, and if addition shall be made to your territory, it will be seen that it is only through the imperious necessity of guarding against the speedy renewal of a treachery so rooted in its nature as to admit of no other prevention

The fear of losing the opportunity for distinguishing his outset in arms with a show of success, added to the rancorous desire of murdering your Minister, who resided on the faith of treaties at his Highness's court, induced the Peshwa to precipitate matters On his taking the field earlier than his secret confederates expected, they endeavoured to fulfil their compact, though they were by no means prepared Holkar's Government immediately assembled troops, with the proclaimed design of supporting the Peshwa and marched in the direction of Poona The concourse to that standard was much greater than could have been expected, notwithstanding which, Lieutenant-General Sir Thomas Hislop manifested the most exemplary and generous patience, before he took the

decision of dispersing that army by force. His Excellency was instructed by me to use every effort of conciliatory representation towards persuading Holkar's Sirdars to abandon their hostile purpose, but should that fail, he was directed to treat Holkar as an enemy The moderation of Sir Thomas Hislop's tone was construed by the opposite party as proceeding from an apprehension of their strength, and the most contemptuous insults were offered to our troops The beating down this spirit for the present hour would be of little avail, if a disposition of such gratuitous enmity were not to be restricted in the means of its future indulgence, but beyond this consideration, the displayed and professed obedience to the Peshwa's summons in breach of existing treaties, exacted strict precautions for our security We were thoroughly entitled to appropriate to the Honourable Company, out of the conquered lands, a revenue sufficient to defray the charge of a force, the stationing of which in that quarter had proved to be an indispensable provision for the future

The same Mahratta tie which acted so irresistibly upon Holkar's court was as powerful with the Raja of Nagpur Our whole conduct towards him had been unvaried kindness, nor had a single point of difference ever arisen in the political transactions between us The extinction of the Pindaris, who annually plundered his territories, was an object of earnest desire to him Yet while, with such antecedent reasons for mutual confidence, we were prosecuting that enterprise, he publicly received from the Peshwa (then in arms against us) a *khelat* with an honorary title, and issued private orders for the levy of troops in all quarters On being solicited by the Resident to explain the assemblage of troops which was taking place round Nagpur, he with the basest deceit protested his inviolable amity, while he was equipping himself for a profligate outrage to the law of nations, in an attack on our accredited Minister at his court Subsequent events irrefragably proved that no reliance could be placed on him or his people. Simple self-defence required us to retain the districts which we had subdued by the action at Jabalpur, and to maintain in them an advanced force as a permanent curb on Nagpur .

Whatsoever has been said relative to Holkar and the Raja of Nagpur, will apply still more forcibly to the Peshwa. As the contest with him has not come to a termination nothing but the principle can be expressed

Sindhia has not incurred forfeiture, though he has essentially

deserved that penalty. I should say, that the very letter of the treaty has been observed to him with even too much strictness, if too much strictness of construction could be observed towards an unequal antagonist His troops have, in no one instance, impeded the marches of the retreating Pindaris, much less have they contributed any co-operation with us, and his contingent of horse has been withheld under various pretences, until it was no longer of any consequence Relying on our respect for the obligations of forbearance which the treaty imposed on us, he has hardly disguised that he was watching the course of the Peshwa's affairs, and projected the adoption of measures consonant to any encouragement they might hold out It is beyond question, that Holkar's taking the field would have been sufficient to decide him, had I not come so rapidly back upon him

The exertions of the Nawab of Bhopal in supplying with provisions our columns which advanced from the Nerbudda, in aiding towards the expulsion of the Pindaris, and in contributing eight hundred horse to the division of Lieutenant-Colonel Adams throughout the campaign, have been so meritorious that it is impossible to deny him the benefit of British protection The events which have extended your possessions along the front of Bhopal, so totally extinguish the considerations influencing your objection to receiving it as a feudatory, that I think I cannot err in regarding the prohibition as no longer in force

The Rajput rulers of Jodhpur and Udaipur have by treaty constituted themselves your feudatories, and the *Vakils*[1] from the Raja of Jaipur are now at Delhi, arranging the terms on which that Prince is to be admitted to the same relation The smaller states to the westward will follow of course .

That these complicated concerns have been settled in less than three months since the southern divisions crossed the Nerbudda (the actual opening of the campaign), is an advantage on which I beg leave sincerely to congratulate the Honourable Court

(E I C, Papers on Pindari and Mahratta Wars, 1824, p 203)

[1] Envoys.

99 Treaty with Udaipur

(The Maharana of the romantic Rajput state of Udaipur is the head of the oldest ruling house in India. Like the other Rajput princes he had long been dependent upon the Mahrattas The treaty made with him is given as a specimen of a series of treaties made with the small states of the north west as a result of the last Mahratta war)

1. There shall be perpetual friendship, alliance, and unity of interests between the two states from generation to generation and the friends and enemies of one shall be the friends and enemies of both

2 The British Government engages to protect the principality and territory of Udaipur

3 The Maharana of Udaipur will always act in subordinate co-operation with the British Government, and acknowledge its supremacy, and will not have any connection with other Chiefs or states

4 The Maharana of Udaipur will not enter into any negotiation with any Chief or State without the knowledge and sanction of the British Government, but his usual amicable correspondence with friends and relations shall continue

5 The Maharana of Udaipur will not commit aggressions upon any one, and if by accident a dispute arise with any one, it shall be submitted to the arbitration and award of the British Government

9 The Maharana of Udaipur shall always be absolute ruler of his own country, and the British jurisdiction shall not be introduced into that principality

Dated at Delhi, this 13th day of January, A D 1818

(Aitchison, *Treaties and Sanads*, 4th ed , iii 30)

100 The Deposition of the Peshwa

From the Marquis of Hastings to the Court of Directors, 20th June 1818.

The re-establishment of Baji Rao upon any conditions, must appear to every one to have been utterly incompatible with our honour and security The country had then to come under a new government Should it not continue under your domination, we had to decide whether we should raise to the *Masnad* one of Baji Rao's family or a stranger In the first case . . . we have had full and most serious proof, that no

distinctness of obligation will prevent a Peshwa from secretly claiming the allegiance of the other Mahratta sovereigns, and irrefragable evidence has shown, that the implicit obedience recognised as due to the mandates of such a head of the Mahratta empire, will operate in violation of every solemnity of pledge to us There must, then, be no Peshwa. . . Resort to a stranger would produce its natural consequences, irritation in the lower classes, and the antipathy of the greater vassals Similar dissatisfactions are not to be apprehended under your Government The inhabitants are well aware of the comfort and security enjoyed by the subjects in the adjoining territories of the Honourable Company, and, indeed they have given every demonstration of eagerly anticipating an arrangement attended with no regrets to counterbalance their presumption in its favour

The conclusion is, that you would be called upon to keep these countries in your hands The great work achieved by your arms ought to be followed by a peace, of which you will be solicitous to avail yourselves, as the fortunate opportunity for disseminating instruction and morals among immense communities, lamentably deficient in conception of social principles and duties A vast field for the melioration of man lies before us It would be consonant to British fame, and gratifying to British reflections, that you should have planted in the now sterile soil the germ of such permanent good The improvement of the state of society in the country is not a visionary project The speculation is extensive indeed, but it refers itself for fulfilment to those simple and ready means, which are uniformly effectual if they be but put in course, and there be a time of quiet for their operation Many occurrences, undoubtedly, may arise to blight so generous an effort, but even should it fail, it will be a proud consciousness to your Honourable Court that such was your endeavour

(E I C, Papers on Pindari and Mahratta Wars, 1824, p 362)

CHAPTER VIII

NEW PRINCIPLES OF GOVERNMENT

Amherst 1823–1828, *Bentinck* 1828–1835

THE defeat of the Mahrattas by Lord Hastings completed the establishment of British supremacy over the whole of India south-east of the Indus and Sutlej It was followed by an extension of power to the eastward, brought on by the attacks of the Burmese government The first Burmese war forms the most important event in the governor-generalship of Lord Amherst, and it led to the annexation of the provinces of Assam, Arakan and Tenasserim But it has not been found possible to incorporate any passages bearing on these events[1]

The realisation of the fact that Britain was now responsible for the government of all India led men to take a new view of the functions of government It helped to give birth to new political aims and a new and deeper sense of responsibility for the welfare of the Indian peoples This spirit had indeed already shown itself It had found some expression in the writings of the brothers Wellesley, and still more clearly in the passage (No 101) which was written by Lord William Bentinck, then Governor of Madras, in 1804, as a reflection upon the consequences of Wellesley's conquests It is not the mere extension of power and dominion that awakens the pride of Englishmen in India at the beginning of the nineteenth century, it is the belief that "British greatness must be

[1] There is probably no part of the history of British India upon which less material is easily available than the first Burmese war No documented life of Lord Amherst has been published, and the printed documents on the war are very inadequate.

founded," and is being founded, "upon Indian happiness." And by this they mean, not merely that the contentment of the subjects is the necessary condition of the survival of the Empire, but that the increasing prosperity, union and self-respect of the long-divided peoples of India would be the only ultimate justification of British power. These ideas are to be seen at work especially during the '20's. They began to express themselves in legislative and administrative action most markedly during the Governorship of Lord William Bentinck.

The development of the new methods and ideas was in part stimulated by the Liberal movement in Europe. It also owed very much to the remarkable group of scholar-statesmen who illustrated the service of the Company during this generation. In the '20's Munro was Governor of Madras, Elphinstone (having previously reorganised the lands conquered from the Peshwa) was Governor of Bombay, Metcalfe was in control of the district of Delhi, and during part of the time was a Member of Council. The contribution made by these and other men to the development of the system of government can scarcely be over-valued.

The new spirit showed itself in two ways, which often came into conflict. On the one hand there was a far more respectful study and appreciation of Indian law and custom than had been shown since the time of Warren Hastings. This showed itself in the first place in a remarkable reaction against the blind eagerness to introduce English ideas and methods, especially in land-holding and in law, which had marked the period following Warren Hastings. Metcalfe viciously criticised Cornwallis's Permanent Settlement (see No 76) as a grave injustice to the actual cultivators, and in the land settlement which he carried out in the Delhi district departed absolutely from Cornwallis's principles. So did Elphinstone in the settlement of the Peshwa's territories, and Munro in what is known as the "*ryotwari*" settlement of part of Madras which he carried out. The methods of these three statesmen differed among themselves. But they differed mainly because they were based upon a careful study of the varying customs

of the districts with which they were concerned. How careful this study was may be seen in the excerpts from Elphinstone's report on the Peshwa's territories (No 104) though it is necessarily much abbreviated, Munro's and Metcalfe's Minutes on the land systems of their districts are equally deserving of study. The primary aims of their work in this field were (1) to maintain and strengthen the self-governing activities of the village communities, which Cornwallis wholly disregarded, but which, as Elphinstone noted, were "the first and most important feature" of the Indian system, and (2) to protect from oppression the unduly submissive peasantry and imbue them gradually with a more independent and self-respecting spirit (see No 103) The same anxiety to maintain and strengthen all that was best in Indian usage is to be seen in the attitude of the statesmen of this generation towards Indian law Elphinstone, for example (No 105) balances the British against the Indian system, and while he recognises that the British rule has brought the supreme boon of a fixed, impartial and unvarying system of justice, he sees also some defects, and is anxious above all "to cherish whatever is good in the existing system" That represents a return to the sound tradition of Warren Hastings, and is in marked contrast with the belief of the men of 1773 that all that was necessary was the introduction to India of English law and English judges

Alongside of this new anxiety to understand and make the best of Indian traditions, was an equally strong conviction that it was the duty of the British Government to introduce into India the best results of western civilisation This conviction often came into conflict with the other, though the two points of view were by no means irreconcilable Hitherto the British Government had been very careful to avoid anything that might be construed as an attack upon Indian social usages or religious beliefs Thus the practices of *sati* (or the burning of living widows on their husband's funeral pyres) and infanticide had not been interfered with, for fear of provoking hostility. It had not been a real respect for Indian beliefs, but a fear of endangering British power, which had been the motive of this

policy; the men who pursued it (in the generation since Warren Hastings) had made no attempt to understand and revivify Indian legal and social organisation, although in these spheres the religious passion was not so liable to be offended But to the new generation the maintenance of British power could only be justified in so far as it tended to realise "hopes of great improvements affecting the condition of millions", and the "first and highest consideration" was not Empire but "the good of mankind" It was in their view the duty of government on the one hand to preserve and strengthen all that was healthy in the social state of India, and on the other hand to wage fearless war against all that was harmful It was on these grounds that Bentinck determined on the suppression of *sati*, and the Minute in which he justified his decision deserves careful study (No 106) On these grounds also the decision was reached that the educational system of India, now beginning to be created, should be mainly based on Western and not on Oriental studies On this question long controversy raged, causing a delay of more than twenty years in carrying into effect the work suggested by the Act of 1813 (No 108) Those who advocated the use of Sanskrit and Arabic as the basis of the educational system were honestly inspired by the desire to see India working out her own intellectual salvation by the development of her own traditions But the arguments for the use of English as the main vehicle of instruction, though stated with an exasperating cocksureness in Macaulay's famous Minute (No 110), were undoubtedly overwhelming From 1835, therefore, the peoples of India found themselves invited to assimilate the ideas of western civilisation through the machinery of education In the same year the withdrawal of restrictions on the press released the most powerful of all forces for this end

Of all the political ideas predominant in the West in this period, that of self-government was the most powerful India, with its welter of hostile races and faiths, habituated for thousands of years to despotism, was obviously not yet ready for any marked advance in this direction But Sir Thomas Munro's remarkable Minute of 1824 (No 102) shows that in

the view of some of the ablest of British administrators, the gradual preparation of the Indian peoples for self-government ought to be the aim of those who had the direction of Indian affairs, a view which, at this date, none but men of British race could have entertained India must not, they held, be administered merely for the advantage of its conquerors. Even justice and efficiency will not justify the British dominion if they lead its subjects only to a more ready submission, the ultimate object of the whole system should be to train the Indian peoples in self-reliance and public spirit and loyalty to the laws until they "become sufficiently enlightened to frame a regular government for themselves" Peace and the Reign of Law are good things, but their chief virtue is that they are necessary foundations of Liberty

Of course the foundations must be well laid and firmly established before the superstructure could be raised upon them Political liberty could not healthily exist until the habit of willing obedience to the Law, and voluntary co-operation in maintaining it, had become universal, until the humbler classes and castes had ceased to be too submissive to insist upon their rights, and until the danger of the ascendancy of a single class or sect had been obviated by the growth in all classes and sects of a strong sentiment of common public obligation Such a process must be slow, it might even take centuries, since it must fight against ancient and deep-rooted habits of life But to make self-government possible was the end to be pursued

It is indeed remarkable that, so soon after the great conquests of Wellesley and Hastings, and at a time when in Europe extreme reaction was triumphant, the most trusted of British administrators in India, himself a soldier, should so boldly and clearly lay down the British doctrine that even in divided and despot-ridden India, political liberty was the ultimately desirable end That has been ever since the conviction of the best Anglo-Indians, though they and their subjects have often widely differed as to the methods by which it ought to be pursued, and the speed with which it is attainable.

While this change of temper was showing itself among the actual rulers of India, a similar change of view was finding expression in the Indian legislation of the British parliament. Each renewal of the East India Company's Charter was accompanied by an Act defining or restricting the Company's powers, or imposing upon it new obligations in regard to its subjects The Act of 1813 (No 108) required the Company to set aside funds for educational purposes, and it is worth noting that this provision preceded by twenty years the first provision of public funds for English education The Act of 1823 (No 107) abolished the Company's trading monopoly, and allowed free access to British traders except to the China trade and the trade in tea This in itself involved a closer contact between East and West than had hitherto been permitted But the most important of these Acts was that of 1833 (No 111) which deserves to rank with the Acts of 1773 and 1784 In the first place (§§ 3 4) it definitely forbade the East India Company to engage in trade at all, and thus brought to an end that association of government with profit-making which had wrought so much harm in the past In the second place it recognised the recently established supremacy of the British power, and the recently established unity of India, by a change in the title of Governor-General Hitherto called the "Governor-General of Fort William in Bengal," and only recognised as possessing control over the "British territorial possessions in India," he is now styled "The Governor-General of India" (§ 39) It added a fourth or Legal member to the Governor-General's Council (§ 40) and imposed upon him the special obligation of codifying the Indian laws, insisting (in accordance with the new spirit) that "due regard" should be paid "to the rights, feelings, and peculiar usages of the People" The first holder of this office was Macaulay, and the foundation of the Indian Code was his principal work—a work which was vastly improved later by better lawyers The Act also threw the whole of India open to British subjects (§ 81), taking precautions (§ 85) against any maltreatment of the Indian subjects It laid it down, as a fundamental

principle (§87), that no native of India or other subject of the king should be debarred by race, colour, or religion from holding any office whatsoever under the British *raj*, and it made provision (§§ 103-05) for the proper training and testing of civil servants.

Not less remarkable than this great Act was the elaborate and exhaustive report of a parliamentary committee on the state of India, by which it was preceded The survey was such as to give good reason for pride But the Report was not content merely to boast of a huge dominion acquired by the sword, or even of a just and peaceful rule afforded to millions. It laid down the principle that the Indian Empire did not exist for the sake of Britain, but for the welfare of the Indian peoples It urged that to the largest possible extent Indians should be employed in Indian administrative work Above all it proclaimed as "an indisputable principle" the remarkable and noble doctrine "that the interests of the native subjects are to be consulted in preference to those of Europeans, whenever the two come in competition" (No 112) Is there any parallel in history to this declaration of a ruling race in regard to its recently conquered subjects ? Yet that declaration was perfectly sincere. It represented the new spirit of British rule

101 The Beginning of a new Era

From a Minute of Lord William Bentinck, 1804.

(Bentinck was Governor of Madras when this passage was written The subject of the Minute was the results likely to follow from Lord Wellesley's conquests It glories, not in the mere exhibition and extension of power, but in the opportunity of "founding British greatness upon Indian happiness," towards which Bentinck was himself at a later date to labour)

If the annals of Indian history are retraced, and more particularly the events of later years, it will be found that this vast peninsula has presented one continual scene of anarchy and misery. Constant revolutions, without even a proposed legitimate object, have succeeded each other. Wars of great and petty chieftains, unwarranted in their origin and un-

principled in their conduct, for the sole object of robbery and plunder, have depopulated and laid waste the general face of this unhappy country. Justice, order, consideration of public and private rights nowhere appear in relief of this melancholy picture Happily a period has arrived to these barbarous excesses For the first time the blessings of universal tranquillity may be expected That system of policy which could embrace the whole of India, which could comprehend in one bond of mutual defence and reciprocal forbearance the predatory chiefs of this great Empire, deserves the admiration of all the civilised world That system, which has founded British Greatness upon Indian Happiness, demands in a particular manner the thanks and applause of this country

(Boulger, *Life of Lord W Bentinck*, 22)

102 THE ULTIMATE PROBLEM OF BRITISH RULE IN INDIA

From a Minute by Sir Thomas Munro, 31*st Dec* 1824

(Sir T Munro was Governor of Madras from 1820 to 1827 He was one of the ablest of the remarkable group of men whom the Company's service produced in the early nineteenth century Like Elphinstone, Malcolm, Metcalfe, and Hodgson he thought and wrote much on the huge problem of government presented by the establishment of British supremacy over all India.)

There is one great question to which we should look in all our arrangements What is to be their final result on the character of the people ? Is it to be raised, or is it to be lowered ? Are we to be satisfied with merely securing our power and protecting the inhabitants, leaving them to sink gradually in character lower than at present, or are we to endeavour to raise their character, and to render them worthy of filling higher situations in the management of their country, and of devising plans for its improvement ? It ought undoubtedly to be our aim to raise the minds of the natives, and to take care that whenever our connection with India might cease, it did not appear that the only fruit of our dominion there had been to leave the people more abject and less able to govern themselves than when we found them Many different plans may be suggested for the improvement of their character, but none of them can be successful, unless it be first laid down as a main principle of our policy, that the improvement must be made This principle once established,

we must trust to time and perseverance for realising the object of it. We have had too little experience, and are too little acquainted with the natives, to be able to determine without trial what means would be most likely to facilitate their improvement Various measures might be suggested, which might all probably be more or less useful, but no one appears to me so well calculated to insure success as that of endeavouring to give them a higher opinion of themselves, by placing more confidence in them, by employing them in important situations, and perhaps by rendering them eligible to almost every office under Government It is not necessary at present to define the exact limit to which their eligibility should be carried, but there seems to be no reason why they should be excluded from any office for which they are qualified, without danger to the preservation of our own ascendancy

Liberal treatment has always been found the most effectual way of elevating the character of any people, and we may be sure that it will produce a similar effect on that of the people of India The change will no doubt be slow, but that is the very reason why no time should be lost in commencing the work We should not be discouraged by difficulties, nor, because little progress may be made in our own time, abandon the enterprise as hopeless, and charge upon the obstinacy and bigotry of the natives the failure which has been occasioned solely by our own fickleness, in not pursuing steadily the only line of conduct on which any hope of success could be reasonably founded We should make the same allowances for the Hindus as for other nations, and consider how slow the progress of improvement has been among the nations of Europe, and through what a long course of barbarous ages they had to pass before they attained their present state When we compare other countries with England, we usually speak of England as she is now, we scarcely ever think of going back beyond the Reformation, and we are apt to regard every foreign country as ignorant and uncivilised, whose state of government does not in some degree approximate to our own, even though it should be higher than our own was at no very distant period.

We should look upon India, not as a temporary possession, but as one which is to be maintained permanently, until the natives shall in some future age have abandoned most of their superstitions and prejudices, and become sufficiently enlightened, to frame a regular government for themselves, and to conduct

and preserve it. Whenever such a time shall arrive, it will probably be best for both countries that the British control over India should be gradually withdrawn. That the desirable change contemplated may in some after age be effected in India, there is no cause to despair Such a change was at one time in Britain itself at least as hopeless as it is here. When we reflect how much the character of nations has always been influenced by that of governments, and that some, once the most cultivated, have sunk into barbarism, while others, formerly the rudest, have attained the highest point of civilisation, we shall see no reason to doubt that if we pursue steadily the proper measures, we shall in time so far improve the character of our Indian subjects as to enable them to govern and protect themselves

(Arbuthnot, *Minutes of Sir T Munro*, 573)

103 The Protection of the Ryots

From a Minute of Sir Thomas Munro, Dec 31, 1824

The peculiar character and condition of the *ryots* require that some laws should be made specially for their protection The non-resistance of the *ryots* in general to oppression has been too little attended to in our Regulations We make laws for them as though they were Englishmen, and are surprised that they should have no operation A law might be a very good one in England and useless here This arises from the different characters of the people In England the people resist oppression and it is their spirit which gives efficacy to the law in India the people rarely resist oppression, and the law intended to secure them from it can therefore derive no aid from themselves Though the *ryots* frequently complain of illegal exactions, they very seldom resist them they more commonly submit without complaining, and they often abscond when they have no longer the means of paying for them

It is in vain to caution them against paying by telling them that the law is on their side, and will support them in refusing to comply with unauthorised demands All exhortations on this head are thrown away, and after listening to them they will the very next day submit to extortion as quietly as before Some of the more bold and intelligent, it is true, withhold payment and complain; but the number is so small

as to have no sensible effect; for the great mass sub[mit] quietly, and will continue for generations to submit, until a total change shall have been wrought in their character. There is nothing extraordinary in this it is the natural consequence of their condition They had always, under their native princes, been accustomed to implicit submission to the demands of the Government officers As, therefore, they will not protect themselves by resisting injustice, we must endeavour to protect them by laws which would be unnecessary in England, or in almost any other country not under foreign dominion, and we must, for this salutary purpose, invest the Collector and Magistrate, the person most interested in their welfare, with power to secure them from exaction, by authorizing him to make summary inquiry into all illegal exactions, to recover the amount, to restore whatever is recovered to the *ryots*, and to punish the offenders

(Arbuthnot, *Minutes of Sir T Munro*, 258)

104 An Analysis of the Indian Village System in the Deccan

From the Report on the Territories conquered from the Peshwa, by Mountstuart Elphinstone.

(Elphinstone, who had been resident at Poona down to the outbreak of the last Mahratta war, was placed in control of the reorganisation of the territories annexed after the fall of the Peshwa His admirable Report on these provinces shows not only profound knowledge, but a real sympathy with Indian customs, and a strong desire that they should be disregarded as little as possible in the new system.)

In whatever point of view we examine the native government in the Deccan, the first and most important feature is, the division into villages or townships These communities contain in miniature all the materials of a state within themselves, and are almost sufficient to protect their members, if all other governments were withdrawn Though probably not compatible with a very good form of government, they are an excellent remedy for the imperfections of a bad one, they prevent the bad effects of its negligence and weakness, and even present some barrier against its tyranny and rapacity.

Each village has a portion of ground attached to it, which is committed to the management of the inhabitants. The boundaries are carefully marked, and jealously guarded. They are divided into fields, the limits of which are exactly

known; each field has a name and is kept distinct, even when the cultivation of it has been long abandoned. The villagers are almost entirely cultivators of the ground, with the addition of the few traders and artisans that are required to supply their wants The head of each village is the *Patil*, who has under him an assistant and a clerk There are, besides, twelve village officers . the astrologer, the priest, the carpenter, barber, etc, but the only ones who are concerned in the administration of the government are the *Sonar*, or *Potadar*, who is silversmith and assayer of money, and the *Mhar*, who, in addition to various other important duties, acts as watchmen to the village Each of these classes consists of one or more individuals, according as their orginal families have branched out The *Mhars* are seldom fewer than four or five

The *Patils* are the most important functionaries in the villages, and perhaps the most important class in the country. They hold their office by a grant from the Government (generally from that of the Moguls), and are entitled by virtue of it to lands and fees, and have various little privileges and distinctions, of which they are as tenacious as of their land Their office and emoluments are hereditary, and saleable with the consent of the Government, but are seldom sold, except in cases of extreme necessity The *Patil* is head of the police, and of the administration of justice in his village, but he need only be mentioned here as an officer of revenue In that capacity he allots the lands to such cultivators as have no landed property of their own, and fixes the rent which each has to pay he collects all the revenue for Government from all the *ryots*, conducts all its arrangements with them, and exerts himself to promote the cultivation and the prosperity of the village Though originally the agent of the Government, he is now regarded as equally the representative of the *ryots*, and is not less useful in executing the orders of the Government than in asserting the rights, or at least in making known the wrongs of the people

The *Kulkarni*[1] keeps the numerous records and accounts of the village The most important are 1st, the general measurement and description of all the village lands, 2nd, the list of fields, with the name, size, and quality of each, the terms by which it is held, the name of the tenant, the rent for which he has agreed, and the highest rent ever produced by the

[1] Clerk.

field, 3rd, the list of all the inhabitants, whether cultivators or otherwise, with a statement of the dues from each to Government, and the receipt and balance in the account of each, 4th, the general statement of the instalments of revenue which have been realised, and, 5th, the detailed account where each branch of revenue is shown under a different head, with the receipts and balance on each Besides the public records, he generally keeps the accounts of all the cultivators with each other, and with their creditors, acts as a notary public in drawing up all their agreements, and even conducts any private correspondence they may have to carry on He has lands, but oftener fees, allotted to him by Government, from which he holds his appointment

With the few exceptions already mentioned, all the villagers are cultivators, and these as there are few labourers, are distinguished by their tenures into two classes, that of *Mirasis* or landed proprietors and that of *Upris*, or farmers

As I was particularly directed to attend to the tenures of land, I have called on the collectors to furnish the requisite information The result of those reports and of my own inquiries is, that a large portion of the *Ryots* are the proprietors of their estates, subject to the payment of a fixed land-tax to Government, that their property is hereditary and saleable, and they are never dispossessed while they pay their tax, and even then, they have for a long period (at least thirty years) the right of reclaiming their estate, on paying the dues of Government Their land-tax is fixed, but the late Mahratta Government loaded it with other impositions, which reduced that advantage to a mere name

An opinion prevails throughout the Mahratta country, that under the old Hindu Government all the land was held by *Mirasis*, and that the *Upris* were introduced as the old proprietors sank under the tyranny of the Mahomedans This opinion is supported by the fact that the greater part of the fields, now cultivated by *Upris*, are recorded in the village books as belonging to absent proprietors, and affords, when combined with circumstances observed in other parts of the peninsula and with the light land-tax authorised by *Manu*, a strong presumption that the revenue system under the Hindus (if they had a uniform system) was founded on private property in the soil

All the land which does not belong to the *Mirasis* belongs to the Government, and to those to whom Government has

assigned it The property of the *Zemindars* in the soil has not been introduced, or even heard of, in the Mahratta country

The cultivated land belonging to Government, except some parts which it keeps in its own hands, was always let out to *Upris*, who had a lease, with the expiration of which their claim and duties expired

Such are the component parts of a village but there are some of its internal affairs still to be mentioned The maintenance of the village temple, its fixed and authorised pensions and annual charities, its ceremonies and religious festivals, its alms to beggars and entertainments to guests, especially to *Brahmins* and *Fakirs*, its occasional amusements, tumblers, dancers, etc, its offerings to the *Patil* and other village officers on occasions of condolence or congratulation, the expenses of the *Patil* on the public affairs, and the fees of *peons* stationed in the village, entail a number of expenses on the community, which, unless allowed for from the Government revenue (which is very rare), are defraved by a tax on the village In general these expenses were in the proportion of one-tenth, and from that to one fifth, to the public revenue

In addition to these, were occasional expenses, such as repairs of the village walls, the necessity of entertaining *Sibandis* for defence, or of paying an enemy or an insurgent for forbearance, which it was beyond the means of the village to defray at once In this case the village contracted a public debt, which was gradually paid by an annual assessment, and sometimes provided for by mortgages, or grants of land on the part of the villagers

The next division is a *Taraf*, composed of an indefinite number of villages, with perhaps an addition of uninhabited mountain and forest land (there being no other land not included in some village) A *Taraf* is under no particular officers, several of them make a *Pargana*, which is under a *Deshmukhi* or *Zemindar*, who performs the same functions towards the *Pargana* as a *Patil* towards the village It is universally believed in the Mahratta country, that the *Deshmukhis*, etc, were all officers appointed by some former Government, and it seems probable that they were the revenue officers of the Hindu Government, that these officers, being hereditary, like most others under the Hindus, they were in possession of too much knowledge and influence to be dispossessed by the Mahomedans who allowed them to settle with the *Patils* They even often farmed out the

whole *Pargana* to the *Deshmukhis*, who by this means acquired so much authority in some parts of the country as to be able, on the decline of the Mahomedan kingdoms in the Deccan, to maintain themselves, for a time, in independence[1]

These officers still hold the land and fees that were originally assigned them as wages, and are still considered as servants of the Government, but the only duty they perform is to produce their old records when required, to settle disputes about land by a reference to these records, and to keep a register of all new grants and transfers of property either by the Government or by individuals This register must, however, be very incomplete, as no man is obliged to record his deed unless he chooses The *Deshmukhi's* profits are very great, generally, I am told, above 5 per cent, not only on the revenue but on the land Five acres in each hundred, for example, will belong to the *Deshmukhi*, and a twentieth of the collections besides, he has also various claims in kind, as a pair of shoes every year from each shoemaker, a portion of *ghee* from those who make that preparation, etc, etc

The outline of the revenue system adopted since our acquisition of the country is contained in my letter dated July 10th, conveying instructions to the collectors The leading principles are to abolish farming, but otherwise to maintain the native system, to levy the revenue according to the actual cultivation, to make the assessments light, to impose no new taxes, and to do none away unless obviously unjust, and above all, to make no innovations

The improvements in the administration of the revenue department [under the new system] are greater than in the rulers Faith is kept with the *Ryot*, more liberal assistance is given him in advance, he is not harassed by false accusations as pretexts to extort money, and his complaints find a readier hearing and redress Some of our alterations are less agreeable to all, or to particular classes We have more forms and more strictness than our predecessors I have strongly recommended to all the collectors to take every opportunity to introduce servants of the former Government, but much time must elapse before this can be entirely accomplished

(Forrest, *Select Writings of Elphinstone*, 274)

[1] This is the class which, in Bengal Cornwallis chose to regard as proprietors of the districts which they administered

105 THE BRITISH SYSTEM OF JUSTICE COMPARED WITH ITS PREDECESSOR

From Mountstuart Elphinstone's Report on the Provinces conquered from the Peshwa

The following were the customary punishments[1] Murder, unless attended with peculiar atrocity, appears never to have been capital, and was usually punished by fine Highway robbery was generally punished with death, because it was generally committed by low people, for a greater distinction was made in the punishment on account of the caste of the criminal than the nature of the crime A man of tolerable caste was seldom put to death, except for offences against the State In such cases birth seems to have been no protection Vitaji, the full brother of Jeswant Rao Holkar, was trampled to death by an elephant for rebellion, or rather for heading a gang of predatory horse Sayaji Atole, a dispossessed *Jaghirdar*, was blown away from a gun for the same offence, yet treason and rebellion were thought less of than with us When it suited a temporary convenience an accommodation was made with a rebel, who was immediately restored, not only to safety, but to favour Balkrishn Gangadhar received a *Jaghir* for the same insurrection for which Vitaji Holkar was put to death Viswar Rao Ghatge, who headed a large body of plundering horse, was treated with much favour by the Peshwa, but Abdulla Khan who committed the same offence at a subsequent period was blown away from a gun The other punishments were hanging, beheading, cutting to pieces with swords, and crushing the head with a mallet Punishments, though public, were always executed with little ceremony or form Brahmin prisoners, who could not be executed, were poisoned, or made away with by deleterious food, bread made of equal parts of flour and salt was one of these Women were never put to death, long confinement, and the cutting off the nose, ears, and breast, were the severest punishments inflicted on them Mutilation was very common, and the person who had his hand, foot, ears, or nose cut off, was turned loose as soon as the sentence was executed and left to his fate The most striking advantages in our plan appear to be that the laws are fixed, and that as means are taken to promulgate them they may be known to every one, that the decisions of the *Adalat*,[2]

[1] *I.e.* under the Mahrattas.

[2] Law-court.

being always on fixed principles, may always be foreseen, that there is a regular and certain mode of obtaining redress, that the decision of each separate case is more speedy than in any native court, and that it is more certain of being enforced, that justice may be obtained by means of the *Adalat*, even from officers of Government, or from Government itself, that the judges are pure and their purity and correctness guarded by appeals, and that the whole system is steady and uniform, and is not liable to be biassed in its notions by fear or affection, policy or respect

On the other hand, it appears that although the regulations are promulgated, yet, as they are entirely new to the people of India, a long time must pass before they can be generally known, and as both they and the decisions of the Court are founded on European notions, a still longer period must elapse before their principles can be at all understood, that this obscurity of itself throws all questions relating to property into doubt, and produces litigation, which is further promoted by the existence of a class of men rendered necessary by the numerous technical difficulties of our law, whose subsistence depends on the abundance of lawsuits, that by these means an accumulation of suits takes place, which renders the speedy decision of the *Adalat* of no avail, that the facility given to appeals takes away from the advantage of its vigour in enforcing decrees, and acts with a sternness and indifference to rank and circumstances very grating to the feelings of the natives that the remoteness of the *Adalat* prevents the access of the common people

This view of the *Adalat* is taken from the reports drawn up in Bengal, and it is possible that many of the defects described may originate in the (Bengal) revenue system, in the voluminousness of the regulations, or in other extrinsic circumstances, a supposition which appears to be supported by the state of the Courts under Bombay, where most of the evils alluded to are said to be still unfelt To sum up the effects of our revenue, policy, and judicial systems, we have, lighter, more equal and more certain assessment, less peculation, and consequently less profit to the agents of Government In police more attention and more vigour, but less violence, and so far less efficiency In civil justice, the great change is that Government has taken on itself the whole responsibility of protecting people's rights, but there is more form, more purity, more delay in some cases and less in others In criminal

justice, more system, more scruples, more trials, more acquittals, more certain punishment for all crimes except robbery, and for that both less certain and less severe

(Forrest, *Select Writings of Elphinstone*, 310)

106 THE SUPPRESSION OF SATI

Minute by Lord William Bentinck, November 8th, 1829

Whether the question be to continue or to discontinue the practice of *sati*, the decision is equally surrounded by an awful responsibility To consent to the consignment year after year of hundreds of innocent victims to a cruel and untimely end when the power exists of preventing it is a predicament which no conscience can contemplate without horror But, on the other hand, if heretofore received opinions are to be considered of any value, to put to hazard by a contrary course the very safety of the British Empire in India, and to extinguish at once all hopes of those great improvements affecting the condition, not of hundreds and thousands, but of millions, which can only be expected from the continuance of our supremacy, is an alternative which even in the light of humanity itself may be considered as a still greater evil It is upon this first and highest consideration alone, the good of mankind, that the tolerance of this inhuman and impious rite can in my opinion be justified on the part of the Government of a civilised nation While the solution of this question is appalling from the unparalleled magnitude of its possible results, the considerations belonging to it are such as to make even the stoutest mind distrust its decision Prudence and self-interest would counsel me to tread in the footsteps of my predecessors But in a case of such momentous importance to humanity and civilisation that man must be reckless of all his present and future happiness who could listen to the dictates of so wicked and selfish a policy With the firm undoubting conviction entertained upon this question, I should be guilty of little short of the crime of multiplied murder if I could hesitate in the performance of this solemn obligation I have been already stung with this feeling Every day's delay adds a victim to the dreadful list, which might perhaps have been prevented by a more early submission of the present question

Of all those who have given their advice against the abolition of the rite, and have described the ill effects likely to

ensue from it, there is no one to whom I am disposed to pay greater deference than Mr Horace Wilson. I purposely select his opinion because, independently of his vast knowledge of Oriental literature, it has fallen to his lot, as secretary to the Hindu College, and possessing the general esteem both of the parents and of the youths, to have more confidential intercourse with natives of all classes than any man in India. While his opportunity of obtaining information has been great beyond all others, his talents and judgment enable him to form a just estimate of its value I shall state the most forcible of his reasons, and how far I do and do not agree with him

1st Mr Wilson considers it to be a dangerous evasion of the real difficulties to attempt to prove that *satis* are not "essentially a part of the Hindu religion" I entirely agree in this opinion The question is not what the rite is but what it is supposed to be, and I have no doubt that the conscientious belief of every order of Hindus, with few exceptions, regard it as sacred

2nd Mr Wilson thinks that the attempt to put down the practice will inspire extensive dissatisfaction I agree also in this opinion He thinks that success will only be partial, which I doubt He does not imagine that the promulgated prohibition will lead to any immediate and overt act of insubordination, but that affrays and much agitation of the public mind must ensue But he conceives that if once they suspect that it is the intention of the British Government to abandon this hitherto inviolate principle of allowing the most complete toleration in matters of religion that there will arise in the minds of all so deep a distrust of our ulterior designs that they will no longer be tractable to any arrangement intended for their improvement, and that the principle of a purer morality, as well as of a more virtuous and exalted rule of action, now actively inculcated by European education and knowledge, will receive a fatal check I must acknowledge that a similar opinion as to the probable excitation of a deep distrust of our future intentions was mentioned to me in conversation by that enlightened native, Ram Mohun Roy, a warm advocate for the abolition of *sati* and of all other superstitions and corruptions engrafted on the Hindu religion, which he considers originally to have been pure Deism It was his opinion that the practice might be suppressed quietly and unobservedly by increasing the difficulties and by the indirect agency of the police. He apprehended that any public enactment would

give rise to general apprehension, that the reasoning would be, "While the English were contending for power they deemed it politic to allow universal toleration and to respect our religion, but having obtained the supremacy their first act is a violation of their profession, and the next will probably be, like the Mahomedan conquerors, to force upon us their own religion."

I have now to submit for the consideration of Council the draft of a regulation enacting the abolition of *satis* It is accompanied by a paper containing the remarks and suggestions of the Judges of the *Nizamat Adalat* In this paper is repeated the unanimous opinions of the Court in favour of the proposed measure

The first and primary object of my heart is the benefit of the Hindus I know nothing so important to the improvement of their future condition as the establishment of a purer morality, whatever their belief, and a more just conception of the will of God The first step to this better understanding will be dissociation of religious belief and practice from blood and murder They will then, when no longer under this brutalising excitement, view with more calmness acknowledged truths They will see that there can be no inconsistency in the ways of Providence, that to the command received as divine by all races of men, "No innocent blood shall be spilt," there can be no exception, and when they shall have been convinced of the error of this first and most criminal of their customs, may it not be hoped that others, which stand in the way of their improvement, may likewise pass away, and that thus emancipated from those chains and shackles upon their minds and actions, they may no longer continue, as they have done, the slaves of every foreign conqueror, but that they may assume their first places among the great families of mankind? I disown in these remarks, or in this measure, any view whatever to conversion to our own faith I write and feel as a legislator for the Hindus, and as I believe many enlightened Hindus think and feel

Descending from these higher considerations, it cannot be a dishonest ambition that the Government of which I form a part should have the credit of an act which is to wash out a foul stain upon British rule, and to stay the sacrifice of humanity and justice to a doubtful expediency, and finally, as a branch of the general administration of the Empire, I may be permitted to feel deeply anxious that our course shall be

in accordance with the noble example set us by the British Government at home, and that the adaptation, when practicable to the circumstances of this vast Indian population, of the same enlightened principles, may promote here as well as there the general prosperity, and may exalt the character of our nation W C BENTINCK.

November 8th, 1829

(Boulger, *Life of Bentinck*, 96)

107 THE ABOLITION OF THE COMPANY'S TRADING MONOPOLY

(4 George IV Cap LXXX 1823)

1 It shall be lawful for any of his Majesty's subjects, in ships or vessels registered and navigated according to law, to carry on trade and traffic in any goods, wares, or merchandise, except tea, as well directly as circuitously, between all ports and places belonging either to his Majesty, or to any prince, state, or country, at amity with his Majesty, and all ports and places whatsoever situate within the limits of the charter of the Company, except the dominions of the Emperor of China, and also from port to port and from place to place within the same limits, except the said dominions of the Emperor of China

108 EDUCATION IN INDIA

From the India Act of 1813
(53 George III Cap CLV)

(The following clause represents the first imposition upon the Government of India of the duty of fostering education It preceded by nineteen years the first provision of educational funds by the State in England No definite steps, however, to determine the way in which the money was to be spent until 1834 partly owing to the long controversy between the advocates of English on the one hand and of Sanskrit and Arabic on the other, as the means of instruction)

2 It shall be lawful for the Governor-General in Council to direct, that out of any surplus which may remain of the rents, revenues and profits arising from the said territorial acquisitions after defraying the expenses of the military, civil, and commercial establishments, and paying the interest of the debt, a sum of not less than one lac of rupees in each year shall be set apart and applied to the revival and improvement of literature, and the encouragement of the learned natives

of India, and for the introduction and promotion of a knowledge of the sciences among the inhabitants of the British territories in India, and that any schools, public lectures, or other institutions for the purposes aforesaid which shall be founded at the presidencies of Fort-William, Fort St George, or Bombay, or in any other parts of the British territories in India, in virtue of this act, shall be governed by such regulations as may from time to time be made by the said Governor-General in Council, subject nevertheless to such powers as are herein vested in the said Board of Commissioners for the Affairs of India respecting colleges and seminaries provided always, that all appointments to offices in such schools, lectureships, and other institutions shall be made by or under the authority of the government within which the same shall be situated

109 THE NEED FOR AN EDUCATIONAL SYSTEM

From a Minute by Mountstuart Elphinstone, March 1824

43 It is now well understood that in all countries the happiness of the poor depends in a great measure on their education It is by means of it alone that they can acquire those habits of prudence and self-respect from which all other good qualities spring, and if ever there was a country where such habits are required, it is this We have all often heard of the ills of early marriages and overflowing population, of the savings of a life squandered on some one occasion of festivity, of the helplessness of the *ryots* which renders them a prey to money-lenders, of their indifference to good clothes or houses, which has been urged on some occasions as an argument against lowering the public demands on them, and, finally, of the vanity of all laws to protect them when no individual can be found who has spirit enough to take advantage of those enacted in their favour There is but one remedy for all this, which is education

44 If there be a wish to contribute to the abolition of the horrors of self-immolation, and of infanticide, and ultimately to the destruction of superstition in India, it is scarcely necessary now to prove that the only means of success lie in the diffusion of knowledge

46 It has been urged against our Indian Government that

we have subverted the States of the East and shut up all the sources from which the magnificence of the country was derived, and that we have not ourselves constructed a single work either of utility or splendour It may be alleged with more justice that we have dried up the fountains of native talent, and that from the nature of our conquest not only all encouragement to the advancement of knowledge is withdrawn, but even the actual learning of the nation is likely to be lost, and the productions of former genius to be forgotten. Something should surely be done to remove this reproach

47 It is probably some considerations like these that have induced the Legislature to render it imperative on the Indian Government to spend a portion of its Revenue in the promotion of education, but whatever were the motives that led to it, the enactment itself forms a fresh argument for our attention to the subject

(Forrest, *Select Writings of Elphinstone*, 101)

110 English v Sanskrit as a Vehicle for Teaching

From a Minute by T B Macaulay, 2nd Feb 1835

(Macaulay had come out to India as the Legal Member of Council provided for by § 40 of the Act of 1833 He did useful work in the codification of the law which the Act required to be undertaken But his stay in India is most celebrated for the famous Minute on Education from which the following passages are excerpted His jaunty and cocksure arguments secured victory for the Western party, and decided that English should be the chief medium of instruction, and Western science and literature the chief subjects of study, in the State system of education in India)

It does not appear to me that the Act of Parliament[1] can by any art of construction be made to bear the meaning which has been assigned to it It contains nothing about the particular languages or sciences which are to be studied It is argued, or rather taken for granted, that by literature the Parliament can have meant only Arabic and Sanskrit literature, that they never would have given the honourable appellation of "a learned native" to a native who was familiar with the poetry of Milton, the metaphysics of Locke, and the physics of Newton, but that they meant to designate by that name only such persons as might have studied in the sacred books of the Hindus all the uses of kusa-grass and all the mysteries of

[1] *I.e.* the Act of 1813, see No. 108.

absorption into the Deity. This does not appear to be a very satisfactory interpretation To take a parallel case, suppose that the Pasha of Egypt,[1] a country once superior in knowledge to the nations of Europe but now sunk far below them, were to appropriate a sum for the purpose of "reviving and promoting literature and encouraging learned natives of Egypt," would anybody infer that he meant the youth of his Pashalic to give years to the study of Hieroglyphics, to search into all the doctrines disguised under the fable of Osiris, and to ascertain with all possible accuracy the ritual with which cats and onions were anciently adored? Would he be justly charged with inconsistency, if instead of employing his young subjects in deciphering obelisks he were to order them to be instructed in the English and French languages, and in all the sciences to which those languages are the chief keys?

All parties seem to be agreed on one point, that the dialects commonly spoken among the natives of this part of India contain neither literary nor scientific information, and are moreover so poor and rude that until they are enriched from some other quarter it will not be easy to translate any valuable work into them It seems to be admitted on all sides that the intellectual improvement of those classes of the people who have the means of pursuing higher studies can at present be effected only by means of some language not vernacular amongst them What then shall that language be? One half of the Committee maintain that it should be English The other half strongly recommend the Arabic and Sanskrit The whole question seems to me to be which language is the best worth knowing? I have no knowledge of either Sanskrit or Arabic But I have done what I could to form a correct estimate of their value I have read translations of the most celebrated Arabic and Sanskrit works I have conversed both here and at home with men distinguished by their proficiency in the Eastern tongues I am quite ready to take the Oriental learning at the valuation of the Orientalists themselves I have never found one among them who could deny that a single shelf of a good European library was worth the whole native literature of India and Arabia The intrinsic superiority of the Western literature is indeed fully admitted by those members of the Committee who support the Oriental plan of education It will hardly be disputed, I suppose, that the

[1] At this time Mehemet Ali, famous for his attempt to introduce Western civilisation among his subjects.

department of literature in which the Eastern writers stand highest is poetry And I certainly never met with any Orientalist who ventured to maintain that the Arabic and Sanskrit poetry could be compared to that of the great European nations But when we pass from works of imagination to works in which facts are recorded and general principles investigated-the superiority of the Europeans becomes absolutely immeasurable It is, I believe, no exaggeration to say that all the historical information which has been collected from all the books written in the Sanskrit language is less valuable than what may be found in the most paltry abridgements used at preparatory schools in England In every branch of physical or moral philosophy the relative position of the two nations is nearly the same

How then stands the case ? We have to educate a people who cannot at present be educated by means of their mother tongue We must teach them some foreign language The claims of our own language it is hardly necessary to recapitulate It stands pre-eminent even among the languages of the West It abounds with works of imagination not inferior to the noblest which Greece has bequeathed to us, with models of every species of eloquence, with historical compositions which considered merely as narratives have seldom been surpassed, and which considered as vehicles of ethical and political instruction have never been equalled, with just and lively representations of human life and human nature, with the most profound speculation on metaphysics, morals, government, jurisprudence, and trade, with full and correct information respecting every experimental science which tends to preserve the health, to increase the comfort, or to expand the intellect of man Whoever knows that language has ready access to all the vast intellectual wealth which all the wisest nations of the earth have created and hoarded in the course of ninety generations It may safely be said that the literature now extant in that language is of far greater value than all the literature which three hundred years ago was extant in all the languages of the world together Nor is this all In India, English is the language spoken by the ruling class It is spoken by the higher class of natives at the seats of Government It is likely to become the language of commerce throughout the seas of the East It is the language of two great European communities which are rising, the one in the south of Africa, the other in Australasia, communities which

are every year becoming more important and more closely connected with our Indian Empire Whether we look at the intrinsic value of our literature or at the particular situation of this country we shall see the strongest reason to think that of all foreign tongues the English tongue is that which would be the most useful to our native subjects

The question now before us is simply whether, when it is in our power to teach this language, we shall teach languages in which by universal confession there are no books on any subject which deserve to be compared with our own, whether, when we can teach European science, we shall teach systems which by universal confession whenever they differ from those of Europe differ for the worse, and whether, when we can patronise sound philosophy and true history, we shall countenance at the public expense medical doctrines which would disgrace an English farrier, astronomy which would move laughter in girls at an English boarding-school, history abounding with kings thirty feet high and reigns 30,000 years long, and geography made up of seas of treacle and seas of butter

The languages of Western Europe civilised Russia I cannot doubt that they will do for the Hindu what they have done for the Tartar

To sum up what I have said I think it clear that we are not fettered by any pledge expressed or implied, that we are free to employ our funds as we choose, that we ought to employ them in teaching what is best worth knowing, that English is better worth knowing than Sanskrit or Arabic, that the natives are desirous to be taught English, and are not desirous to be taught Sanskrit or Arabic, that neither as the languages of law nor as the languages of religion have the Sanskrit and Arabic any peculiar claim to our encouragement, that it is possible to make natives of this country thoroughly good English scholars, and that to this end our efforts ought to be directed

111 The India Act of 1833

3 After 22 April 1834 the exclusive right of trading with the Dominions of the Emperor of China, and of trading in Tea, continued to the Company by the Act of 53 Geo III shall cease

4 The Company shall, with all convenient speed, close their Commercial Business, and make sale of all their merchandise,

stores, and effects, at home and abroad, distinguished in their account books as Commercial Assets

39. The superintendence, direction, and control of the whole Civil and Military Government of all the said Territories and Revenues in India shall be, and is hereby, vested in a Governor-General and Counsellors, to be styled "The Governor-General of India in Council"

40 There shall be Four ordinary Members of the Council, Three of whom shall from time to time be appointed by the Court of Directors from amongst such persons as shall have been Servants of the Company, and shall have been in the service of the Company for at least Ten years, and the fourth ordinary Member of Council shall be appointed from amongst persons who shall not be Servants of the Company by the Court of Directors, subject to the approbation of His Majesty: Provided that such last-mentioned Member of Council shall not be entitled to sit or vote in the Council except at meetings thereof for making laws and regulations

43 The Governor-General in Council shall have power to make Laws and Regulations for repealing, amending, or altering any Laws or Regulations whatsoever in the said Territories or any part thereof, and to make Laws and Regulations for all persons, whether British or Native, Foreigners or others, and for all Courts of Justice, whether established by His Majesty's Charters or otherwise, and the jurisdictions thereof save and except that the Governor-General in Council shall not have the power of making any Laws or Regulations which shall in any way repeal, vary, suspend, or affect any of the provisions of this Act, or any provisions of any Act hereafter to be passed, in any wise affecting the said Company or the said Territories or the Inhabitants thereof, or any Laws or Regulations which shall in any way affect any prerogative of the Crown, or the authority of Parliament, or the Constitution or Rights of the said Company, or any part of the unwritten Laws or Constitution of the United Kingdom of Great Britain and Ireland

51 Nothing herein contained shall affect in any way the right of Parliament to make Laws for the said Territories and for all the Inhabitants thereof And it is expressly declared, That a full, complete, and constantly existing right and power is intended to be reserved to Parliament, to control, supersede, or prevent all proceedings and acts whatsoever of the Governor-General in Council, and to repeal and alter, at any time, any

Law or Regulation whatsoever made by the said Governor-General in Council, and in all respects to legislate for the said Territories, and all the Inhabitants thereof, in as full and ample a manner as if this Act had not been passed

53 And whereas it is expedient that, subject to such special arrangements as local circumstances may require, a general system of Judicial Establishment and Police, to which all persons whatsoever, as well Europeans as Natives, may be subject, should be established in the said Territories at an early period, and that such Laws as may be applicable in common to all classes of the Inhabitants of the said Territories, due regard being had to the rights, feelings, and peculiar usages of the People, should be enacted and that all Laws and Customs having the force of law within the same Territories, should be ascertained and consolidated, and as occasion may require amended, be it therefore Enacted, that the Governor-General of India in Council shall, as soon as conveniently may be after the passing of this Act, issue a Commission, to be styled "The Indian Law Commissioners" and the Commissioners shall fully enquire into the Jurisdiction, Powers, and Rules of the existing Courts of Justice and Police Establishments in the said Territories, and all existing forms of Judicial procedure, and into the nature and operation of all Laws, whether civil or criminal, written or customary, prevailing in any part of the said Territories, and whereto any inhabitants of the said Territories, whether Europeans or others, are now subjects, And the Commissioners shall from time to time make reports, in which they shall fully set forth the result of their enquiries, and shall suggest such alterations as may in their opinion be beneficially made in the Courts of Justice and Police Establishments, form of Judicial procedure and Laws, due regard being had to the distinction of castes, difference of religion, and the manners and opinions prevailing among different races and in different parts of the said Territories

81 It shall be lawful for any natural-born subject of His Majesty to proceed by sea to any port or place having a custom-house establishment within the said Territories, and to reside thereat, or to proceed to and reside in, or pass through any part of such of the said Territories as were under the Government of the said Company on 1 Jan 1800, and in any part of the Countries ceded by the Nawab of the Carnatic, of the Province of Cuttack, and of the Settlements of Singapore and Malacca, without any License whatever

85. And whereas the removal of restrictions on the intercourse of Europeans with the said Territories will render it necessary to provide against any mischiefs or dangers that may arise therefrom, be it therefore Enacted, That the Governor-General in Council shall by Laws and Regulations provide with all convenient speed for the Protection of the Natives of the said Territories from insult and outrage in their persons, religions, or opinions

87 No Native of the said Territories, nor any natural-born Subject of His Majesty resident therein, shall, by reason only of his religion, place of birth, descent, colour, or any of them be disabled from holding any Place, Office, or Employment under the said Company

103 And whereas it is expedient to provide for the due qualification of persons to be employed in the civil service of the Company in the said Territories, be it therefore Enacted That the Governor-General of India in Council shall, as soon as may be after the First day of January in every year, make and transmit to the Court of Directors a prospective estimate of the number of persons who will be necessary to supply the expected Vacancies in the Civil Establishments of the respective Governments in India, And within One month after such estimate shall have been received the Board of Commissioners shall certify to the Court of Directors what number of persons shall be nominated as candidates for Admission, and what number of Students shall be admitted to the College of the Company at Haileybury, in the then current year . and it shall be lawful for the Court of Directors to nominate such a number of Candidates for admission to the College as shall be mentioned in the Certificate of the Board

105 The Candidates for Admission to the College shall be subjected to an Examination in such branches of knowledge, and by such Examiners as the Board shall direct, and shall be classed in a List to be prepared by the Examiners, and the Candidates whose names shall stand highest in such List shall be admitted by the Court as Students in the College, until the number to be admitted for that year, according to the Certificate of the Board, be supplied

112. The New Aims of the Supreme Government

From the Report of the Committee of Parliament on the Affairs of the East India Company, 1833.

On a large view of the state of Indian Legislation, and of the improvements of which it is susceptible, it is recognised as an indisputable principle, that the interests of the Native Subjects are to be consulted in preference to those of Europeans, whenever the two come in competition, and that therefore the Laws ought to be adapted rather to the feelings and habits of the Natives than to those of Europeans It is also asserted, that though the Native Law might beneficially be assimilated to British Law in certain points, yet that the principles of British Law could never be made the basis of an Indian Code, and finally, that the rights of the Natives can never be effectually secured otherwise than by such amalgamation

Intimately connected with every plan for the good government of India, and for the introduction of ameliorating changes into the present system, is all that relates to the habits, character, and capacity of the Native Population It appears that at present they are only employed in subordinate situations in the Revenue, Judicial, and Military Departments They are said to be sufficiently observant of the practical merits and defects of our system, and to be alive to the grievance of being excluded from a larger share in the Executive Government It is amply borne out by the Evidence that such exclusion is not warranted on the score of incapacity for business, or the want of application, or trustworthiness while it is contended that their admission, under European control, into the higher offices would strengthen their attachment to British dominion, would conduce to a better Administration of Justice, and would be productive of a great saving in the Expenses of the Indian Government

CHAPTER IX

THE NORTH-WEST FRONTIER

1835–1848

SINCE 1818 the north-western frontier of the Indian Empire had been the line of the Sutlej and the Indus Beyond this line lay the valley of the Indus, including the fertile region of the Punjab to the north, and the desert area of Sind to the south Beyond these again rose the great mountain-wall which is the obvious natural frontier of India in this direction, and through whose passes have come all the conquerors of India since the dawn of history, except the seafaring Europeans The expansion of the Indian Empire could not be said to have attained its natural limits until it had reached this mountain-wall This last great step, which made political India for the first time correspond with geographical India, was made by the British power during the decade 1838–1848 But it was not undertaken deliberately for military and political reasons The directors of British policy were as anxious as ever not to assume further territorial responsibilities, and it is probable that if the decision had rested with them alone, the Empire would not have attained its natural limits Factors beyond their control drove them forward These factors were the fear of Russian advance upon India through Central Asia, which haunted the minds of British statesmen in these years, and the political condition of the three chief regions that lay beyond the Sutlej-Indus line

Of these regions the least important was Sind, a barren and

very thinly peopled region on both sides of the lower Indus, controlled by several chieftains, or Amirs, of Baluchi race Unattractive in itself, and isolated between the desert regions of Rajputana and Baluchistan, Sind would have had no importance but for two facts In the first place, the Indus formed the natural outlet of the commerce of north-western India to the sea, and the Amirs levied toll upon this trade In the second place, the easiest passes through the mountain barrier were approached across Sind For that reason Sind had great importance for the Punjab on the north, and for Afghanistan on the east, and the masters of these regions were apt to claim suzerainty over it

Afghanistan, a wild mountain region, was important because it controlled the mountain gateways into India It stood like a fortress overlooking the plains, and time and again its masters had been the conquerors of India Even at the beginning of the nineteenth century there was constant fear of Afghan invasion and conquest But since then the Afghan kingdom had broken up The heir of the old ruling house, a feeble old man, Shah Shuja, was an exile in India, dependent upon the charity of the British Government, and the head of the Barakzai family which had ousted him, Dost Mahomed, could control little more than the city of Kabul and its neighbourhood Western Afghanistan (round Herat) was practically independent, and was threatened with conquest by Persia

In the fertile territory of the Punjab a formidable military power existed—the empire of the Sikhs, which had been able to establish itself in the late eighteenth and early nineteenth centuries owing to the collapse of the Mogul power on the one hand, and the disorganisation of the Afghans on the other The Sikhs were not a nation or a race, they were the adherents of a religion, a sort of Puritan offshoot of Hinduism whose votaries were practically confined to this part of India Under the last of its *gurus* or prophets Sikhism had become a fighting and conquering faith, and just at the time when the British supremacy was being established in India, the Sikhs had produced a leader of remarkable ability, in the Maharaja Ranjit

Singh, who had subjected the whole wide region of the Punjab to his centralised rule, and fought on equal terms with the Afghans. The Sikhs were a small minority of the population of the Punjab, but thanks to their remarkable military organisation and the skill of their leader, they lorded it over the much more numerous Hindus and Mahomedans who surrounded them. Between them and the Afghans was almost unending strife. the frontier town of Peshawar, controlling the exit from the Khyber Pass, was the chief apple of discord Ranjit Singh had a shrewd sense of the strength of the British power, and was always, till his death in 1839, at pains to be on friendly terms with it

It was fear of a Russian attack that first brought the British Government into relations with these trans-Indus states We have already seen (Nos 89-91) how in 1809 the threat of a Franco-Russian advance across Central Asia had led Lord Minto to send special embassies to Persia, to Afghanistan, and to the Punjab, in order to concert measures for meeting this attack if it came, at the same time relations were also opened up with the Amirs of Sind From that time onwards friendly relations, especially with the Sikh power, were anxiously cultivated

In the 'thirties of the nineteenth century the British fear of Russia was at its height Under the direction of the Whig statesman, Palmerston, Britain was fighting a diplomatic duel with Russia to prevent the establishment of Russian influence at Constantinople Palmerston watched with equal suspicion and nervousness the growing influence of Russia at the court of Persia And in these same years, under Nicholas I, Russia was steadily adding to her dominions in Central Asia. Lord Auckland, who came to India in 1835, was a Whig, and shared all Palmerston's fears Russia seemed to be slowly closing in upon India, and it appeared more essential than ever that safeguards should be taken against her Especially did it appear necessary that the passes through the mountain barriers should be in friendly hands It was these fears which led to the disastrous Afghanistan expedition of 1838; and

that expedition in its turn brought about the conquest of Sind, and contributed to produce hostility between the British Government and the Sikhs Thus the last important stage of British advance in India was influenced by European politics; just as Wellesley's conquests had been the outcome of Napoleon's ambitions, and as the first British successes in the Carnatic and Bengal had followed from the world-wide rivalry of French and English in the middle of the eighteenth century.

The growth of Auckland's fears of Russia and of his belief that Russia was endeavouring to get control over the Afghans, may be traced in Nos 114 and 115 These fears led to the determination to place on the Afghan throne a prince favourable to British interests But this was only possible with the agreement and co-operation (willing or unwilling) of the states which lay between the British frontier and Afghanistan It was not difficult to make an agreement with the Sikhs, the ancient foes of the Afghans, and the Amirs of Sind were also brought (No 116) to grant a passage for a British force through their territory They had previously rather unwillingly accepted a treaty limiting the duties which they could levy on the Indus With their right of plunder thus restricted, and with British forces occupying the chief strategic points in their territory, the Amirs not unnaturally felt that they were being brought under the yoke From the first their attitude was unsatisfactory, and Auckland felt himself justified in threatening punishments (No 123)

The Afghan expedition at first met with an easy success, Shah Shuja was enthroned at Kabul, under the control and protection of a British resident and army But a prince who had been enthroned and had to be maintained by a foreign army, and who had purchased his restoration in part by humiliating concessions to the hated Sikhs, could not be expected to win the loyalty of the wild Afghan tribesmen And the position of the British army of occupation, which had to be supported and supplied through the territories of independent and jealous states, was very precarious Such an enterprise was bound to fail The failure was turned into

disaster (Nos 117-119) by grave military blunders British prestige had received an almost fatal blow, and the consequences might have been terrible indeed

Fortunately the Governor-General, who had lost his nerve, was recalled before it was too late His successor, Lord Ellenborough, deserves much credit for the courage and vigour with which he set about the task of redeeming the situation (Nos 120-122) Kabul was reconquered, only to be promptly evacuated, and Afghanistan was left to itself During the operations the Sikhs remained quite loyal to their agreements, in spite of the fact that the wise old Ranjit Singh was dead, but the hot heads among their fighting men had certainly lost some of their old respect for the British power, and were beginning to contemplate the possibility of measuring strength with it As for the Amirs of Sind, their attitude became more and more uncertain The Afghan disaster had left a dangerous situation in all this region, and the military events of 1842 were not enough to remove the impression

Though he deserves credit for his vigour, Ellenborough was so profoundly impressed with the necessity of re-establishing British prestige that he was guilty of some extravagances The rhetorical tone of his proclamations offended British taste, the absurd solemnity with which the (spurious) Somnauth Gates were brought back from Ghazni aroused general ridicule But the most unhappy result of Ellenborough's eagerness to regain prestige was the readiness with which he fell a prey to the temptation of showing British strength by vigorous action in Sind

There were real reasons for intervention in Sind The country was ill governed, and certainly profited by being brought under efficient administration The unimpeded navigation of the Indus was a question of importance for all northern India, and the promises of the Amirs in this regard were ill observed The roads to the passes were of military importance, and Ellenborough was anxious to control them. But none of these reasons formed the real provoking cause of the conquest, nor would the untrustworthy behaviour of some

of the Amirs have mattered seriously in a country so isolated The real motives for annexation were in part those given by Sir Charles Napier (No 125) But behind all this lay the need for re-establishment of British prestige after the failure in Afghanistan Sind is the only British acquisition of which it may fairly be said that it was not necessitated by circumstances, and that it was therefore an act of aggression For that reason it aroused loud indignation in England, and brought about the recall of Lord Ellenborough

Very different were the circumstances which brought about the first Sikh war The death of Ranjit Singh in 1839 had been the signal for the outbreak of disorder among the nobles and in the army For three years, indeed, Ranjit's son, Sher Singh, was able to maintain tolerable order, and during these years the Afghan adventure was safely brought to an end The Sikhs carried out their engagements, though they gave many anxious moments to the British leaders

After 1842, however, when Sher Singh was murdered, mere chaos followed, and the Sikh army got altogether out of hand The state of the Punjab now had to be watched carefully, and substantial forces had to be maintained on the British frontier in case of a sudden outburst, such as actually came in 1845 Ellenborough, indeed, held (see No 128) that the result of this disorder must be to reduce the Sikh power to ineffectiveness, and eventually to bring the Punjab under British rule—a result which he anticipated not without satisfaction His successor, Sir Henry (afterwards Lord) Hardinge, however, made it a fundamental principle that the Sikh state should be maintained in complete independence if possible, and resolved to abstain from any intervention and from all provocation He maintained a large force near the frontier, but the precaution was essential In the end the Sikh forces invaded the British territory, partly impelled by a confidence in their own power to conquer, which had been strengthened by the British failure in Afghanistan, partly urged forward by their rulers, who calculated that either victory or defeat would be better for themselves than the existing anarchy (see Nos.

130 and 131) How far the British Government was from desiring new accessions of territory, and how anxious to see the Sikh power re-established on a secure basis, was shown by the terms of peace (Nos 133 and 134), and especially by the flat refusal of the Governor-General to provide an army of occupation for more than a limited period, though the court of Lahore earnestly desired it

In his speech to the Sikh chieftains at Lahore (No 134) Hardinge reminded them that the British Government desired no control over them, and wished only to see them "as an independent and prosperous state" "The success or failure is in your own hands," he added Within two years the experiment had broken down, British officers had been murdered, the army of the Khalsa was once again in movement and confident of victory, and the second Sikh war was inevitably followed by the annexation of the Punjab (see Chapter X)

I THE AFGHAN ADVENTURE

(The first of the following documents (No 113) gives the official explanation of the events leading up to the Afghan war, which was issued on the eve of the campaign It is succeeded by two dispatches (Nos. 114 and 115) which show how the fear of Russian influence in Afghanistan grew in Lord Auckland's mind In No 114 he has as yet no idea of intervening by force of arms, and the evidence produced is certainly not sufficient to justify such intervention)

113 The Official Justification of the War

Declaration on the part of the Right Honourable the Governor General of India (Lord Auckland)

The Right Hon the Governor-General of India having, with the concurrence of the Supreme Council, directed the assemblage of a British force for service across the Indus, his Lordship deems it proper to publish the following exposition of the reasons which have led to this important measure

It is a matter of notoriety that the Treaties entered into by the British Government in the year 1832, with the Amirs of Sind, the Nawab of Bahawalpur, and Maharaja Ranjit Singh, had for their object, by opening the navigation of the Indus, to facilitate the extension of commerce, and to gain for the

British nation in Central Asia that legitimate influence which an interchange of benefits would naturally produce

With a view to invite the aid of the *de facto* rulers of Afghanistan to the measures necessary for giving full effect to those Treaties, Captain Burnes was deputed, towards the close of the year 1836, on a mission to Dost Mahomed Khan, the chief of Kabul The original objects of that officer's mission were purely of a commercial nature Whilst Captain Burnes, however, was on his journey to Kabul, information was received by the Governor-General that the troops of Dost Mahomed Khan had made a sudden and unprovoked attack on those of our ancient ally Maharaja Ranjit Singh It was naturally to be apprehended that His Highness the Maharaja would not be slow to avenge the aggression, and it was to be feared that, the flames of war being once kindled in the very regions into which we were endeavouring to extend our commerce, the peaceful and beneficial purposes of the British Government would be altogether frustrated In order to avert a result so calamitous, the Governor-General resolved on authorizing Captain Burnes to intimate to Dost Mahomed Khan, that if he should evince a disposition to come to just and reasonable terms with the Maharaja, his Lordship would exert his good offices with his Highness for the restoration of an amicable understanding between the two Powers The Maharaja, with the characteristic confidence which he has uniformly placed in the faith and friendship of the British nation, at once assented to the proposition of the Governor General, to the effect that, in the meantime, hostilities on his part should be suspended

It subsequently came to the knowledge of the Governor-General, that a Persian army was besieging Herat, that intrigues were actively prosecuted throughout Afghanistan, for the purpose of extending Persian influence and authority to the banks of, and even beyond, the Indus, and that the Court of Persia had not only commenced a course of injury and insult to the officers of Her Majesty's Mission in the Persian territory, but had afforded evidence of being engaged in designs wholly at variance with the principles and objects of its alliance with Great Britain

After much time spent by Captain Burnes in fruitless negotiation at Kabul, it appeared that Dost Mahomed Khan, chiefly in consequence of his reliance upon Persian encouragement and assistance, persisted, as respected his misunder-

standing with the Sikhs, in urging the most unreasonable pretensions, that he avowed schemes of aggrandizement and ambition injurious to the security and peace of the frontiers of India, and that he openly threatened, in furtherance of those schemes, to call in every foreign aid which he could command. Ultimately he gave his undisguised support to the Persian designs in Afghanistan, of the unfriendly and injurious character of which, as concerned the British power in India, he was well apprised, and by his utter disregard of the views and interests of the British Government, compelled Captain Burnes to leave Kabul without having effected any of the objects of his mission.

It was now evident that no further interference could be exercised by the British Government to bring about a good understanding between the Sikh ruler and Dost Mahomed Khan, and the hostile policy of the latter chief showed too plainly that, so long as Kabul remained under his government, we could never hope that the tranquillity of our neighbourhood would be secured, or that the interests of our Indian empire would be preserved inviolate.

The Governor-General deems it in this place necessary to revert to the siege of Herat, and the conduct of the Persian nation. The siege of that city has now been carried on by the Persian army for many months. The attack upon it was a most unjustifiable and cruel aggression, perpetrated and continued, notwithstanding the solemn and repeated remonstrances of the British Envoy at the Court of Persia, and after every just and becoming offer of accommodation had been made and rejected. The besieged have behaved with a gallantry and fortitude worthy of the justice of their cause, and the Governor-General would yet indulge the hope that their heroism may enable them to maintain a successful defence, until succours shall reach them from British India. In the meantime, the ulterior designs of Persia, affecting the interests of the British Government, have been, by a succession of events, more and more openly manifested. The Governor-General has recently ascertained by an official despatch from Mr M'Neill, her Majesty's Envoy, that His Excellency has been compelled, by a refusal of his just demands, and by a systematic course of disrespect adopted towards him by the Persian Government, to quit the Court of the Shah, and to make a public declaration of the cessation of all intercourse between the two Governments. The necessity under which

Great Britain is placed of regarding the present advance of the Persian arms into Afghanistan as an act of hostility towards herself, has also been officially communicated to the Shah, under the express order of Her Majesty's Government

The chiefs of Kandahar (brothers of Dost Mahomed Khan of Kabul) have avowed their adherence to the Persian policy, with the same full knowledge of its opposition to the rights and interests of the British nation in India, and have been openly assisting in the operations against Herat

In the crisis of affairs consequent upon the retirement of our Envoy from Kabul, the Governor-General felt the importance of taking immediate measures for arresting the rapid progress of foreign intrigue and aggression towards our own territories

His attention was naturally drawn at this conjuncture to the position and claims of Shah Shuja-ul-Mulk, a monarch, who, when in power, had cordially acceded to the measures of united resistance to external enmity, which were at that time judged necessary by the British Government, and who, on his empire being usurped by its present rulers, had found an honourable asylum in the British dominions

It has been clearly ascertained, from the information furnished by the various officers who have visited Afghanistan, that the Barakzai chiefs, from their disunion and unpopularity, were ill-fitted, under any circumstances, to be useful allies to the British Government, and to aid us in our just and necessary measures of national defence Yet so long as they refrained from proceedings injurious to our interests and security, the British Government acknowledged and respected their authority, but a different policy appeared to be now more than justified by the conduct of those chiefs, and to be indispensable to our own safety The welfare of our possessions in the East requires that we should have on our western frontier an ally who is interested in resisting aggression, and establishing tranquillity, in the place of chiefs ranging themselves in subservience to a hostile power, and seeking to promote schemes of conquest and aggrandizement

After serious and mature deliberation, the Governor-General was satisfied that a pressing necessity, as well as every consideration of policy and justice, warranted us in espousing the cause of Shah Shuja-ul-Mulk, whose popularity throughout Afghanistan had been proved to his Lordship by the strong and unanimous testimony of the best authorities. Having arrived at this determination, the Governor-General was

further of opinion that it was just and proper, no less from the position of Maharaja Ranjit Singh, than from his undeviating friendship towards the British Government, that his Highness should have the offer of becoming a party to the contemplated operations

Mr Macnaghten was accordingly deputed in June last to the Court of His Highness, and the result of his mission has been the conclusion of a triplicate Treaty by the British Government, the Maharaja, and Shah Shuja-ul-Mulk, whereby His Highness is *guaranteed in his present possessions*, and has bound himself to co-operate for the restoration of the Shah to the throne of his ancestors The friends and enemies of any one of the contracting parties have been declared to be the friends and enemies of all

Various points have been adjusted, which had been the subjects of discussion between the British Government and His Highness the Maharaja, the identity of whose interest with those of the Honourable Company has now been made apparent to all the surrounding States A guaranteed independence will, upon favourable conditions, be tendered to the Amirs of Sind, and the integrity of Herat, in the possession of its present ruler, will be fully respected , while by the measures completed, or in progress, it may reasonably be hoped that the general freedom and security of commerce will be promoted , that the name and just influence of the British Government will gain their proper footing among the nations of Central Asia , that tranquillity will be established upon the most important frontier of India , and that a lasting barrier will be raised against hostile intrigue and encroachment

His Majesty Shah Shuja-ul-Mulk will enter Afghanistan surrounded by his own troops, and will be supported against foreign interference and factious opposition by a British army The Governor-General confidently hopes that the Shah will be speedily replaced on his throne by his own subjects and adherents , and when once he *shall* be secured in power, and the independence and integrity of Afghanistan established, the British army will be withdrawn The Governor-General has been led to these measures by the duty which is imposed upon him of providing for the security of the possessions of the British Crown , but he rejoices that, in the discharge of his duty, he will be enabled to assist in restoring the union and prosperity of the Afghan people. Throughout the approaching operations, British influence will be sedulously

employed to further every measure of general benefit, to reconcile differences, to secure oblivion of injuries, and to put an end to the distractions by which, for so many years, the welfare and happiness of the Afghans have been impaired. Even to the chiefs, whose hostile proceedings have given just cause of offence to the British Government, it will seek to secure liberal and honourable treatment, on their tendering early submission, and ceasing from opposition to that course of measures which may be judged the most suitable for the general advantage of their country

(*Persian and Afghan Correspondence*, 299)

114 First Suspicions of Russia

(The two following passages are earlier in date than the foregoing, and illustrate the growth of the suspicions of Russia's relations with Afghanistan which, though not mentioned in 113, really underlie it and provided the chief motives for undertaking the Afghan expedition)

Lord Auckland to the Secret Committee of the Directors

8th February 1838

27 It may be convenient that I should recapitulate briefly my views as to the course proper to be taken by the Government of India in the several contingencies to which we have to look for the course of events in the Afghan countries If the Persian expedition against Herat should fail, fuller opportunity will be afforded for the development of that policy of friendly intercourse, and exhibition of a desire to recognize and respect all existing interests, by which I had hoped to reconcile in a considerable degree the existing dissensions among the Afghan chiefs If, contrary to my hope and expectation, the expedition should succeed, and threatening demonstrations be made by Persia towards the eastern portions of Afghanistan, I do not contemplate any immediate direct interference by arms or money to arrest the enterprise Although, also, I am far from being insensible to the evils caused by the excitement and disorders arising out of Persian encroachment, I see so little ground for belief that a weak state like Persia can establish herself with any prospect of permanence in a country and amidst a population such as that of Afghanistan, that I should regard her possession of power in that quarter as likely to be most precarious and transitory, and in the end attended with serious risk of injury to herself Should she succeed, against all reasonable anticipations, in acquiring a state

authority in Afghanistan, and manifest a disposition to interfere with the territories along the course of the Indus, I should then not hesitate to use all the influence and power of the Government to repel her aggressions In my intercourse with Kabul and Kandahar, I shall be, above all things, scrupulous to act with a clear good faith, enabling the chiefs of those principalities to guide their policy as they may judge best for their own security. From their local position and our growing influence in the Punjab and in Sind, those states must always, it appears to me, be much dependent on us, and may be expected to place more trust in our friendship than in any aid which may be promised by Persia, even with the support of Russian encouragement Under extreme circumstances of danger the chiefs of Kabul and Kandahar might look to finding a safe asylum within the British territories, and it is my hope that these means of influencing them would be found amply sufficient for the attainment of all our just objects It will remain with the Government in England to aid, as they may judge most proper and advisable, the measures of the Indian administrations, by noticing the part taken by Russia and her agents in these transactions The letter of the Emperor of Russia to Dost Mahomed Khan, of Kabul, in acknowledgment only of the deputation of an agent from that chief, and expressive of a willingness to protect traders proceeding from Kabul to the Russian dominions, appears *prima facie* liable to no objections, and it will be observed that I have suggested to Dost Mahomed Khan to receive and reply to it in that spirit But the entire silence of his Excellency Count Simonitch, the Russian Envoy at Teheran, to Mr M'Neill, respecting this mission, coupled with the fact of Count Simonitch having opened an unsolicited communication with the chiefs of Kandahar, and having nearly identified himself with the Persian mission to that chiefship, and with the statements also now received from Captain Burnes of Count Simonitch having requested Dost Mahomed Khan to communicate without reserve with the bearer of the Emperor's letter, as being a confidential agent of his own, affords, as it seems to me, a most reasonable ground for suspicion and inquiry, and may be made, perhaps, the means of exposing these intrigues so detrimental to the perfect tranquillity and good feeling of the countries on our frontier, and of arresting their further progress

(Parliamentary Papers, Afghanistan, 1837–42, p 279)

115 Suspicion takes Root

Lord Auckland to the Secret Committee, 27th April 1838.

4 In my former Despatch, I stated that I could not look to any stability of Persian domination in the Afghan countries But there is a course open to the agents of Russia, in the attempts made by them to extend the power and influence of their country, which they seem ready to pursue, and to prefer to the support of the direct dominion of Persia over Afghanistan It may be collected from their language and proceedings that they would, on one side, appear to be aiding Persia in the establishment of a general supremacy over the Afghan chiefships, and on the other as protecting those chiefships from any serious aggression and injury Professions and promises to this effect may at least assist the immediate views of Persia, but they may also have the ultimate effect, in the actual distracted condition of Afghanistan, of giving to Russia an arbitration over the fortunes of all who exercise authority in that region

6 I need not say that we should seem to have the clearest rights and interest to remonstrate against such proceedings, for Russia can have no legitimate ground for extending her political connections to Afghanistan, while we are necessarily interested in the peace and independence of that country by proximity and position

(Parliamentary Papers, Afghanistan, 1837–42, p 281)

116 The Treaties with Ranjit Singh and the Amirs of Sind

The Governor General to the Secret Committee, 13th August 1838

5 The first interview of the mission with the Maharaja occurred on the 31st May

9 The manner in which the views of the British Government were propounded, and the mode of the Maharaja's acceptance of them, is thus described in Mr Macnaghten's dispatch

"I then said, 'Your Highness some time ago formed a treaty with Shah Shuja-ul-Mulk, do you think it would still be for your benefit that that treaty should stand good, and would it be agreeable to your wishes that the British Government should become a party to that treaty?' 'This,' replied

his Highness, 'would be adding sugar to milk.' 'If such,' I observed, 'be decidedly the wish of your Highness, I do not think that the Governor-General would object to supplying Shah Shuja with money and officers, to enable him to recover his throne' He (Shah Shuja) should advance by the route of Kandahar, while the troops of his Highness should advance towards Kabul This appeared to me a good opportunity for making a formal declaration of the moderate views of the British Government, as prescribed in my instructions I told his Highness that the possessions of the British Government in India were already sufficiently extensive, and that we did not covet one *biga* of additional ground, that our only objects were to improve the condition of the people under our rule, to cultivate the friendship of such allies as his Highness and to extend the benefits of commerce, but that we were perfectly prepared to repel and punish any aggression upon our rights and dignity, from whatever quarter it proceeded

"I then told the Maharaja that the benefit of the combined scheme would be almost exclusively his, that our share of the adventure would be almost entirely confined to our having a faithful friend in the possession of Afghanistan, instead of one who was of doubtful character, if not disaffected to our interests"

39 A still more important point than any comprised in the above negotiation yet remained to be arranged, the relations, namely, of the Amirs of Sind with Shah Shuja-ul-Mulk and this Government, in consequence of the course of intended operations The Resident at Sind was therefore directed to explain to these chiefs the nature of the pending crisis, which compelled the Government to form a powerful combination with its frontier states, for the purpose of counteracting the apparently aggressive alliances of the states to the westward, and the following instructions given him upon the question of composition with Shah Shuja for tribute due to him from one of the Amirs

"You will perceive that, by one of the articles of the treaty recently concluded, the British Government engages to arbitrate the claim of Shah Shuja-ul-Mulk upon Shikarpur, and the territories of Sind generally, and proposes at the same time to bring to a final settlement the claims of Maharaja Ranjit Singh, as connected with the Shah, and the territories along the course of the Indus, which were formerly included in the dominions of the Afghan kingdom.

"The Governor-General . will endeavour to prevail upon Shah Shuja-ul-Mulk to reduce the claim which he has on the Amirs to a reasonable amount, and he trusts that you will have no difficulty in convincing them of the magnitude of the benefits they will derive from securing the undisturbed possession of the territories they now hold, and obtaining immunity from all future claims on this account by a moderate pecuniary sacrifice"

40 After desiring the Resident to insist much upon the friendly feeling of this Government towards the Amirs, and the anxiety which I felt for its maintenance, I caused the following intimation to be given him of the course which would be forced upon me, should the Amirs decline concession to the wishes of this Government and its allies —

"Shah Shuja-ul-Mulk will probably arrive with his own army, and the direct support of the British troops, at Shikarpur about the middle of November next, in progress to take possession of Afghanistan The Governor-General is averse from contemplating a refusal on the part of the Amirs to enter into such a composition with his Majesty (Shah Shuja) as the British Government may deem just and reasonable, but it may be proper to apprise them of the probable consequences of their not coming cordially into the general views of his Lordship at a crisis so important, and you are authorized to tell them that his Lordship must regard the demonstration of such a spirit, as rendering it indispensably necessary to the success of the enterprise, that temporary occupation should be taken of Shikarpur, and as much of the country adjacent as may be required to afford a secure base to the intended military operations

"His Lordship is further unwilling to contemplate the contingency of offensive operations being undertaken against the Amirs by the Shah after he shall have established, by the support of the British power, his authority in Afghanistan for the realization of what he may deem his just claims But the Amirs must be made sensible that, if they should now deprive themselves of the advantage of his Lordship's mediation, with a view to effect an immediate favourable compromise, the British Government will be precluded from offering opposition to any measures for the assertion of those claims which the Shah may eventually determine to adopt"

58. I need not enlarge on the additional proofs, which have been furnished since the date of my former dispatches,

of the manifest designs of the Russian officers to extend the interference and authority of their country to the borders of India The opposition of the Russian Ambassador before Herat, by which the efforts of Mr M'Neill to arrange a peace, upon just and reasonable terms, between the Shah and the besieged were wholly frustrated, when they seemed on the point of being effectual, the aid given by the Russian Ambassador to the siege, by advances of money, and still more, the employment of an officer of the mission to direct the works of the siege, are facts which will have forcibly arrested the attention of your Honourable Committee

(Parliamentary Papers, Afghanistan, 1837–42, i p 285 ff)

117 Trouble in Afghanistan

The Governor General to the Secret Committee, Dec 22, 1841

17 We have thus stated, in as accurate an outline as the means at our command will permit, the afflicting events by which our position in Afghanistan has been so suddenly and seriously endangered We have marked the obstinacy with which, notwithstanding the apparent accommodation of the Eastern Ghilzai chiefs with Captain Macgregor about the 22nd of November, the tribes under them contested every portion of the advance of the British troops eastward, at a time when these tribes stood alone openly committed to insurrection We cannot doubt that the comparative success of the Ghilzai mountaineers in their defiles, the report of which must have reached Kabul with much exaggeration, had an important effect in giving encouragement to the disaffected in that city And we think it may be assumed as certain, that the discontent of the Durani chiefs at Shah Shuja's court with the arrangement of the king's government, which partially affected their pecuniary interests, and threatened to destroy their political interests, has been the direct operative cause of the formidable rebellion by which our authority has been shaken This discontent found ready material for the excitement of hostility and disorder, in the national and religious feelings of the Afghan tribes, whom our presence, and the measures pursued under our influence, have failed to conciliate. The population with the exception of the labouring cultivators, who probably regard our ascendancy with satisfaction, but

whose good will is of little value in such a crisis, is armed, and accustomed to turbulence and violence, and time has not admitted of any effectual repression of these habits, or of giving stability to the new order of things.

(Parliamentary Papers, Afghanistan, 1837–42, iii p. 5)

118 The Murder of Macnaghten

Lord Auckland to the Secret Committee, Jan 22, 1842

We have now to communicate, with the deepest regret, the melancholy intelligence of the treacherous murder of the Envoy and Minister, Sir William Macnaghten, at a conference to which he was invited, in furtherance of negotiations for the withdrawal of our troops

2 From our dispatch of the 9th instant, your Honourable Committee will be aware of the unsatisfactory accounts which had reached us from Kabul to the 9th of December From that date to the 25th, we have no letter from any of the British officers either of the Kabul mission or force but it appears certain that about the 13th or 15th of December, Sir William Macnaghten judged it necessary to make overtures to the Afghan chiefs in arms against us, as the basis of our evacuation of the positions which we held at the capital Mahomed Akbar Khan, son of Dost Mahomed Khan, who had escaped from confinement at Bokhara, and was proceeding to Kabul, to deliver himself up to the Envoy and Minister, found the insurrection in full violence on his arrival, and immediately took a prominent part in it He appears to have been the channel through which Sir William Macnaghten's negotiations for withdrawal were carried on, and was believed in the country to be disposed in some measure to aid our interests What the motives were, which induced him to take the life of Sir William Macnaghten, by an act which seemed to have been one of the most gross and barbarous perfidy, we do not yet know with accuracy, but the fact of the murder is placed beyond doubt, by the brief note of Major Pottinger of December 25th, and by the concurrent tenor of all the reports which have reached Jellalabad

(Parliamentary Papers, Afghanistan, 1837–42, iii p 75.)

119 The Disaster

Lord Auckland to the Secret Committee, Feb. 19, 1842

1 In continuing the narrative of events in Afghanistan since the date of our latest despatch on that subject of the 22nd of last month, we have to deplore the occurrence of heavy calamity to the British arms, and at the same time to lament the great obscurity which still hangs over many of the most important circumstances connected with the causes and course of the disasters which have been suffered

3 From the papers now sent, your Honourable Committee will learn, that on the 28th of December Major Pottinger wrote to Captain Macgregor at Jellalabad, stating the arrangement with the leaders at Kabul to be still incomplete That on the 29th of December, Major Pottinger and Major-General Elphinstone wrote officially to Captain Macgregor and Major-General Sir Robert Sale, directing them in pursuance of stipulations made at Kabul, to retire from Jellalabad to Peshawar—that on the 4th of January letters were received at Jellalabad from the cantonment at Kabul, announcing, that a march towards the former place was immediately intended, and that on the 6th of January the troops actually marched, devoid, as far as we learn, of all provisions for food, for shelter, or for safety , and that thus exposed to the attacks of enemies in the mountain defiles, and in the worst severity of a winter season, they became, after two or three marches, dispirited and disorganized, and were, as a military body, ultimately wholly destroyed or dispersed

4 We do not know the strength in effective men that marched from Kabul on this melancholy retreat, but the force there must have been greatly reduced by the casualties of a protracted contest , and we should believe that the retiring body could scarcely have exceeded 4000 men fit for service, and placed at much disadvantage by the loss of many officers killed or wounded

(Parliamentary Papers, Afghanistan, 1837–42, iii p 103)

120 The Defence of Jellalabad

Lord Ellenborough to Secret Committee, April 21, 1842.[1]

5 Your Honourable Committee is aware that the fortifications of Jellalabad, raised principally by the zeal and

[1] Lord Ellenborough succeeded Lord Auckland in March 1842

assiduity of the garrison, had sustained considerable injury by the violent earthquake which occurred in that vicinity on the 19th February The damages were speedily repaired by the unwearied exertions of the garrison, and the troops have since continued to maintain their post with little loss, availing themselves of every opportunity to make sorties against the besiegers, which have been invariably attended with success to our arms, and with discomfiture and serious loss to the enemy Major-General Sir R Sale, without ever hazarding the safety of his garrison and post, has, on many of these occasions, inflicted severe injury on the besieging army

6 I feel it a pleasing duty to dwell on the gallant and loyal services of the small force under Sir R Sale, placed in circumstances of so much difficulty and peril, with an active and inveterate enemy in their front and Khyber Pass closed upon them in their rear, and I have now the satisfaction of informing you, that their enduring and persevering resistance to the enemy has probably ere this been brought to a happy close by the flight of Mahomed Akbar, and the appearance of Major-General Pollock's army in the plains of Jellalabad

(Parliamentary Papers, Afghanistan, 1837–42, iii 185)

121 The Conditions of Retirement

Lord Ellenborough to Secret Committee, August 17, 1842

3 I have told the Major-General[1] that when every gun and colour, and military trophy in the hands of the Afghans, and every prisoner within the reach and power of the *de facto* Government of Kabul, have been surrendered to him, and not till then, he may give orders suited to a state of returning peace, and I have authorized the Major-General to declare that, when this condition shall have been fulfilled, I will cause Dost Mahomed Khan, and all the prisoners in our hands, to be honourably conveyed to the frontier, and delivered over without condition (*Ibid* iii 340)

122 Victory and Retirement

General Orders by the Governor General, September 30, 1842

The Governor-General announces to the army and to the people of India, the occupation of Ghazni by Major-General

[1] Pollock.

Nott, on the 6th of September, and its entire destruction by the Kandahar division of the army

Major-General Nott had the satisfaction of releasing in the neighbourhood of Ghazni three hundred and twenty-seven Sepoys of the 17th Native Infantry, from the slavery to which they had been reduced by the Afghans

The Governor-General likewise announces the complete defeat of Mahomed Akbar Khan at the head of 16,000 men on the 13th of September, by Major-General Pollock, and the occupation of Kabul by the troops under that General, on the 16th of September

The British flag now waves in triumph from the highest point of the Bala Hissar

Thus have all past disasters been retrieved and avenged on every scene on which they were sustained, and repeated victories in the field, and the capture of the cities and citadels of Ghazni and Kabul have advanced the glory, and established the accustomed superiority, of the British arms

The Governor-General has derived much satisfaction from the report made by Major-General Pollock of the admirable conduct of the troops of His Highness the Maharaja Sher Sing acting in co-operation with the British army

The Governor-General rejoices in this new proof of the cordial good understanding which prevails between the British Government and that of Lahore

The report of Major-General Pollock leads the Governor-General to expect that, long before this day, all the British prisoners taken by the Afghans will have been brought into that General's camp Those who had been left near Kabul were already at liberty

The Governor-General, in the name of the Government and of all the people of India, offers to Major-General Pollock, and Major-General Nott, and all the officers and troops under their respective commands, his grateful and heartfelt acknowledgements of the important services they have performed

The Governor-General directs that the recent successes obtained by the armies in Afghanistan be fully made known to all the troops at all stations of the army, and that at all those stations a salute of 21 guns be fired for the capture of Ghazni and a similar salute for the capture of Kabul

(*Ibid* iii 391)

II THE CONQUEST OF SIND

(The first of the following excerpts shows that even in the first stages of the Afghan campaign the Amirs of Sind were restless under the conditions which had been imposed upon them (see No 116 above), the second shows the disturbing effect of the Afghan failure)

123 THE RESTLESSNESS OF THE AMIRS

From Lord Auckland to the Secret Committee, March 13, 1839

13 It was intimated to Colonel Pottinger, the Resident in Sind, in the first instructions communicated to him after the conclusion of the Treaty of Lahore, that the British government would be compelled, in the event of there being evidence of a coalition of the principal Amirs of Haiderabad with its enemies, to deprive them of power, and to establish in Lower Sind the authority of any member of the family who might prove himself to be trustworthy and faithful to the power by which alone, so lately as at the close of 1836, the subjection of the Sikh dominion had been averted When Colonel Pottinger proceeded to Haiderabad he found that by very recent occurrences the feelings of the principal Amirs had been shewn to be in the last degree ungrateful and hostile. When informed of all these circumstances, I determined to express my willingness to maintain the authority of the existing principal Amirs, who had conceded the unopposed admission of our troops into these territories on the condition of such a British force being established in Sind, as might suffice to fix beyond a doubt our military and political ascendancy on that important frontier

16 The main provisions of the proposed engagements are, that the confederacy of the Amirs is virtually dissolved, each chief being upheld in his own possessions, and bound to refer his differences with the other chiefs, to our arbitration, that Sind is placed finally under British protection and brought within the circle of our Indian relations, that a British force is to be fixed in Lower Sind and that the navigation of the Indus, from the sea to the most northern point of the Sind territory, is rendered free of all toll

(Parliamentary Papers, Sind, 1838–45, pp 177, 181)

124

From Lord Auckland to the Secret Committee, June 8, 1842.

I am sorry to notice that Major Outram[1] has detected intrigues on the part of the Amirs of Upper and Lower Sind, which evince clearly that these chiefs entertained projects of a hostile nature, if any further disasters to our army in Afghanistan had afforded them a favourable opportunity of attempting to throw off their allegiance to the British government

(Parliamentary Papers, Sind, 1838–43, p 388)

125 Reasons for annexing Sind

Observations by Sir C Napier on the Occupation of Sind

17th October 1842

1 It is not for me to consider how we came to occupy Sind, but to consider the subject as it now stands, viz we are here by the right of treaties entered into by the Amirs , and therefore we stand on the same footing with themselves

2 There does not appear to be any public protest, registered by the Amirs, against the treaties They must, therefore, be considered as the free expressions of the will of the contracting parties

3 If sticklers for abstract rights maintain—as no doubt they will—that to prevent a man from doing mischief is to enslave him, then it might be called hard to enforce a rigid observance of these treaties , but this is not the case The evident object of these treaties is to favour our Indian interests, by the abolition of barbarism, by ameliorating the condition of society, and by obliging the Amirs to do, in compliance with treaties, that which honourable and civilized rulers would do of their own accord Although the desire to do good would not sanction a breach of treaty on our part, it does sanction our exacting a rigid adherence to the treaties on the part of the Amirs .

5 By treaty, the time for which we may occupy our present camps is unlimited , but there is such hostility to us among the Amirs . there is, among their people, such a growing

[1] Agent of the Governor-General in Sind

attachment to the British rule, that . the question arises whether we should abandon the interests of humanity, and those of the British government (for in this case they are one), and at once evacuate Sind, or, shall we take advantage of existing treaties, and maintain our camp permanently ?

6 If we evacuate the country, future events will inevitably bring us back to the banks of the Indus

7 If we remain, our camps will soon be filled with the subjects of the Amirs, flying from their oppression These camps will thus quickly grow into towns, and the people within will carry on a transit trade along to the Indus to the exclusion of the subjects of the Amirs without Among the latter, misery and poverty will sojourn, for the exactions of the Amirs will, in a great measure, destroy both commerce and agriculture among their people Such appears to be the probable result, if we adhere rigidly to the Treaty, and permanently occupy our camps

8 This produces another question, viz Is it possible that such a state of things can long continue ? A government hated by its subjects a government of low intrigue, and above all, so constituted that it must, in a few years, fall to pieces by the vice of its own constitution, will such a government, I ask, not maintain an incessant petty hostility against us ? Will it not incessantly commit breaches of treaties—those treaties by which alone we have any right to remain in this country and therefore must rigidly uphold ? I conceive that such a state of political relations could not last, and that the more powerful Government would, at no very distant period, swallow up the weaker

9 If this reasoning be correct, would it not be better to come to the results at once ? I think it would be better, if it can be done with honesty

(Parliamentary Papers, Sind, 1838–43, 362-3)

126 The Official Announcement of Victory

Notification by the Governor General (Ellenborough)

5th March 1843

The Governor-General had earnestly hoped that the new provisions to which various acts in contravention of their existing engagements, and various indications of hostility, had compelled him to require the assent of the Amirs of Sind,

would have been carried into full effect, as they had been agreed to by their Highnesses, without a recurrence to arms

This hope has been disappointed

The Amirs having signed the new Treaty proposed to them on the 14th of February, attacked on the following day with a large force the residence of the British commissioner In this treacherous attack they were repulsed On the 17th Major-General Sir Charles Napier gained a decisive victory over their whole army, and on the 20th the British troops occupied the city of Haiderabad

The Governor-General cannot forgive a treacherous attack upon a Representative of the British government, nor can he forgive hostile aggression prepared by those who were in the act of signing a treaty

It will be the first object of the Governor-General to use the power victory has placed in his hands, in the manner most conducive to freedom of trade, and to the prosperity of the people of Sind, so long misgoverned

(Parliamentary Papers, Sind, 1838–43, 515)

127 The Governor-General's Justification

Ellenborough to Wellington, 22nd March 1843

I hardly know how I could have accomplished the object of retaining possession of a commanding position upon the Lower Indus without a breach with the Amirs We could hardly have justified our remaining at Karachi, we could not have justified our remaining at Bukkur, after the termination of the war with Afghanistan, without a new treaty What had occurred was sufficient to show that upon our retiring from the Indus, the existing treaty for the free navigation of that river would have been violated in every particular The Amirs, too, had been strangely misled as to the real circumstances under which we retired from Afghanistan They believed us beaten and I firmly believe that our rear guard would have been attacked had we moved from Sukkur with the avowed intention of leaving the Lower Indus altogether I could not always keep a large force at Sukkur in a state of uncertainty It seemed to me best, at the commencement of the cold season, to require the consent of the Amirs to reasonable modifications of our treaty with them.

It was really impossible for me to form a decided opinion as the authenticity of Persian letters—that could be much better decided on the spot; and being satisfied that, if the letters were genuine, we were justified in requiring new terms, and that policy required us to avail ourselves of the opportunity of coming to a new settlement if we were justified in doing so, I left the matter in Sir C Napier's hands Subsequent events and discoveries and the late treachery of the Amirs seem to have proved that I was right in believing them to be at once hostile and not to be depended upon I do not see now what course can be pursued but that of taking the country we have conquered

(*Ellenborough's Indian Administration*, 356-7)

III THE FIRST SIKH WAR

(The following excerpts show that the British Government was very unwillingly drawn into hostile relations with the Sikhs Ellenborough, indeed (No 128), contemplated the possibility that the disorders of the Punjab might eventually bring about the establishment of British supremacy, but his successor, Hardinge, strove to avoid war, and even when war had been precipitated by the Sikhs themselves, was anxious to maintain in existence an independent Sikh state, and to avoid the military supremacy which had been assumed in so many other instances. The failure of this policy was entirely due to the disorganisation of the Sikhs themselves)

128 The Disorders in the Punjab

From Lord Ellenborough to the Queen, 20th October 1843

The assassination of the Maharaja Sher Singh on 15 September, and the subsequent deaths of the minister, Dhian Singh,[1] and of many other chiefs at Lahore, have led to the virtual transfer of all power to the disorganized army there assembled, which power appears to be exercised through committees in the several corps, corresponding together and acting in concert

Large sums of money have been already exacted from Hira Singh, the son of the late Dhian Singh, who has the title

[1] The most remarkable of a group of three brothers (Dogra Rajputs, not Sikhs), who had established a strong semi-independent power in the hill country north of the Punjab, and had also made themselves indispensable at the court of Ranjit Singh and his successor, Sher Singh They were believed to be playing for their own hand

of Vizier to the boy, Dhulip Singh, raised to the throne as the son of Ranjit Singh

General Ventura[1] appears to have been acting as the adviser of Hira Singh, but what General Ventura thinks of him, and what he thinks of the present and future state of the Punjab, your Majesty will learn from the General's letter

Ghulab Singh, the elder brother of Dhian Singh, still remains at Jammu, in the hills, and seems to be engaged in securing himself there, and unwilling to trust himself in the plains

It is apprehended that Hira Singh will soon be compelled to fly from Lahore to Jammu He has possessed himself of the most valuable jewels of the crown, and relays of horses have been already placed for him on the road to Jammu On the flight of Hira Singh a Sikh government[2] will in all probability be formed for a time

The tendency of these events is to produce a separation between the government of the hills and that of the plains, the Sikhs retaining the plains, and the Rajputs, under Ghulab and Hira Singh, the hills

It is doubtful whether, under these circumstances, the province of Multan, chiefly inhabited by Mussulmans, would remain under the Sikhs

The separation between the hills and the plains could hardly take place without some conflict, and Lord Ellenborough is much disposed to take the same view of the ultimate destiny of the territories lately under the rule of Sher Singh which is taken by General Ventura

The instructions given to the British agent upon the frontier are entirely in accordance with the policy which has been pursued towards the Sikh state for many years Every desire is expressed to see that State maintained as it was under Ranjit Singh, and while we protect our own rights nothing will be done to impair the independence of our neighbours But it is impossible not to perceive that the ultimate tendency of the late events at Lahore is, without any effort on our part, to bring the plains first, and at a somewhat later period the hills, under our direct protection or control

Dost Mahomed appears to be so much occupied by the internal affairs of Kabul as to be unable at present to detach any force for the purpose of endeavouring to repossess himself

[1] The ablest of the group of European officers who had been engaged by Ranjit Singh to organise his armies.

[2] As distinct from the non Sikh government of Dhian Singh and Hira Singh.

of Peshawar. The concentration at Lahore of a disorganised army of 70,000 men rendered necessary precautionary measures on our part, and such have been promptly taken

(*Ellenborough's Indian Administration*, 97-9)

129 The British Policy in regard to the Sikhs

Minute by Lord Hardinge, June 16, 1845

Between my colleagues and myself there has always existed a most anxious desire, and perfect unison of opinion that no efforts or precautions should be spared to maintain a Sikh government in the Punjab as long as it may be possible

To carry the pacific policy of the government of India into effect, we have been content to suffer great inconveniences, considerable expense and some risk, necessarily caused by the presence of a large disorganized Sikh force on the frontier requiring, on our part, an army to be assembled for the protection of our frontier, and in close contact with that of the Sikhs, I need not enter upon the consideration of the various questions which are involved in the proximity of a Sikh army, in a successful state of mutiny, so close upon our frontier

We have never relinquished the hope that some amelioration may eventually take place, affording the prospect of the re-establishment of a Sikh government able to carry on its ordinary functions We have never abandoned the expectation that, after anarchy and military violence have long prevailed, these disorders, having reached their maturity, might subside, worn out and exhausted by their own virulence, or that some man of superior capacity and master mind might appear amongst them, able to control this mutinous army and to reconstruct a strong Sikh government

I must confess that these hopes have not been strengthened by recent events, and now the state of our relations with that country has become more critical than it has been at any time since Raja Hira Singh's death

(Papers respecting the late hostilities in the North-west, 1846, p 1)

130

The Governor General to the Secret Committee, 30th Sept. 1845

I am convinced that our desire to see the Maharaja's government re-established on a basis of independence and

strength, is well known to the most influential and leading chiefs Their personal interests, endangered by the democratic revolution so successfully accomplished by the Sikh army, may induce those chiefs to exert all their efforts to compel the British government to interfere

You may be assured that, whilst I shall omit no precautions, and be prepared for any event, I shall persevere in the direct course I have hitherto pursued of endeavouring by moderation, good faith and friendly advice, to avert the necessity of British interference by force of arms in the affairs of the Punjab

(Papers respecting the late hostilities in the North-west, 1846, p 6)

131 THE THREAT OF A SIKH INVASION

The Governor General to the Secret Committee, Dec 2, 1845

On the 22nd November I received from Major Broadfoot the official dispatch dated 20 November, detailing the sudden intention of the Sikh army to advance in force to the frontier, for the avowed purpose of invading the British territories

The letter was succeeded by a private communication of the following day , enclosing news, letters and papers of intelligence received from Lahore, which professed to give an account of the circumstances which have led to the present movement, and which would appear (if these papers are to be depended upon) to have originated with the Rani and certain of the Sirdars, who felt the pressure of the demands of the army to be so urgent, and its present attitude and temper so perilous to their existence, that they desired to turn the thoughts of the troops from making extortionate demands for higher pay, by employing their energies in hostile operations against the British government

I shall not consider the march of the Sikh troops in hostile array towards the banks of the Sutlej as a cause justifying hostilities, if no actual violation of our frontier should occur . . Every forbearance shall be shewn to a weak government struggling for existence against its own soldiers in a state of successful mutiny

(Papers respecting the late hostilities in the North-west, pp 12, 13)

132. The Outbreak of War

Proclamation by the Governor General, Dec. 13, 1845

The Governor-General in Council sincerely desired to see a strong Sikh government re-established in the Punjab, able to control its army, and to protect its subjects, he had not, up to the present moment, abandoned the hope of seeing that important object effected by the patriotic efforts of the chiefs and people of the country

The Sikh army recently marched from Lahore towards the British frontier, as it was alleged, by the order of the Durbar, for the purpose of invading the British territory

The Governor-General's agent, by direction of the Governor-General, demanded an explanation of this movement, and no reply being returned within a reasonable time, the demand was repeated The Governor-General, unwilling to believe in the hostile intentions of the Sikh government, to which no provocation had been given, refrained from taking any measures which might have a tendency to embarrass the government of the Maharaja, or to induce collision between the two states

The Sikh army has now, without a shadow of provocation, invaded the British territories

The Governor-General must therefore take measures for effectually protecting the British provinces, for vindicating the authority of the British Government, and for punishing the violators of treaties and the disturbers of the public peace

(Papers respecting the late hostilities in the North-west, p 30)

133 The Settlement

The Governor General to the Secret Committee, Feb 19, 1846

The terms demanded and conceded are, the surrender in full sovereignty of the territory, hill and plain, lying between the Sutlej and Beas rivers, and the payment of 1½ crores of rupees, as indemnity for the expenses of the war, the disbandment of the present Sikh army and its reorganization on the system and regulations which obtained in the time of the late Maharaja Ranjit Singh the surrender to us of all the guns that had been pointed against us, the entire regulation

and control of both banks of the river Sutlej, and such other arrangements as might be settled on at Lahore

(Papers respecting the late hostilities in the North-west, p 69)

134 The Future of the Sikh State

From a Speech by Sir H Hardinge at Lahore, 9th March 1846

On this occasion of ratifying the Treaty of Peace I have to repeat the assurances which have so often been given by me and by my predecessors, of our desire that peace and friendship may always subsist between the two governments

A just quarrel, followed by a successful war, has not changed the policy of the British Government The British Government does not desire to interfere in your internal affairs I am ready and anxious to withdraw every British soldier from Lahore At the earnest solicitation of the Sikh government I have reluctantly consented to leave a British force in garrison at Lahore, until time shall have been afforded for the re-organization of the Sikh army In no case can I consent that the British troops shall remain in garrison for a longer period than the end of this year

If the friendly assistance now afforded by the British Government be wisely followed up you will become an independent and prosperous state The success or failure is in your own hands My co operation shall not be wanting, but if you neglect this opportunity, no aid on the part of the British Government can save the state

(Papers respecting the late hostilities in the North-west, pp 98-9)

CHAPTER X

THE COMPLETION OF THE COMPANY'S WORK

Dalhousie

1848–1856

THE Governor-Generalship of Lord Dalhousie is not only the last important stage, it is also the culmination, of the marvellous history of the East India Company Dalhousie was a man of immense ability and energy, untiring industry, inflexible will, absolute honesty of purpose, and real devotion to the greatness of his own country and the welfare of her Indian subjects For sheer force of personality two only among the long line of Governors deserve to be compared with him—Warren Hastings and Wellesley He was a greater man than Wellesley, because he took a far deeper view of the problems of government, he was a lesser man than Hastings because he lacked Hastings' generous humanity, his power of reading the minds of his colleagues and understanding the point of view of the millions whom he so resolutely laboured to serve But not even Hastings took a more lofty view of his duty, or was more unsparing of himself, not even Wellesley was more masterful, more entirely responsible for the policy of the government which he controlled

Dalhousie was a Scotchman bred on the Shorter Catechism, and he had a sort of ferocious logicality of mind and a resolute thoroughness which were curiously un-English · he was not a man of compromises and half-measures Penetrated by a sense of the splendour of the Indian Empire, and of the vast

services which it could render to its subjects, he deliberately set himself to extend the control of the central government to the greatest possible extent over the whole population, to round off the Empire's boundaries, and so far as possible to put an end to the anomalies of dependent and often misgoverned states, at the same time, with a sort of fierce zeal, he laboured to accelerate the introduction of Western civilisation. Both processes he carried out with such swiftness and such sweeping thoroughness that while, on the one hand, India made more rapid progress in the eight years of his rule than in any other period of equal length, on the other hand her slow-moving and conservative people were perturbed and distressed by the feeling that their whole world was being turned upside down This sense of unrest contributed in no small degree to bring about the appalling thunderbolt of the Mutiny which swiftly followed Dalhousie's retirement, and brought the era of the Company to a sudden close Yet it would be a manifest injustice to think of Dalhousie solely or chiefly as the precursor and the partial cause of the Mutiny His work was not destroyed by it, but survived the storm unimpaired, and indeed largely helped to subdue it The distinctive features of Modern India have been far more deeply influenced by Dalhousie's work than by the Mutiny itself or by the constitutional adjustments which followed it

Two great wars were waged during his reign, the second Sikh war and the second Burmese war Both were followed by the annexation of large and rich provinces, the Punjab and Pegu (lower Burma) These annexations added to the homogeneity as well as the extent of the Empire The first brought it to its natural frontier on the north-west, the mountains of Afghanistan, the second completed its control over the eastern shore of the Bay of Bengal by uniting the two disjoined provinces of Arakan and Tenasserim, annexed in 1825 These two new provinces, and especially the Punjab, gave to the Governor-General an opportunity in which he rejoiced, of showing what miracles could be wrought in a short time by efficient administration (No 136) But the wars were not

of his making. Both were defensive wars, brought on in the one case by the turbulent pride of the Sikh army, unable to digest its previous defeat; in the other case by the Burmese Government's self-complacent insolence and disregard of treaties. Though he certainly welcomed the rounding off of the frontiers, and undertook with zest the organisation of new provinces where he was unhampered by the compromises of predecessors, Dalhousie would willingly have avoided war in order to devote himself to the work of internal reorganisation in which he delighted, and he was probably sincerely opposed, as he repeatedly asserted, to wars of aggression against neighbouring states He made haste, for example, to blot out the memory of the Afghan blunder by making friends with Dost Mahomed, and he established with the Gurkhas of Nipal relations of greater cordiality and confidence than had existed for many years

But though he did not desire war, yet when war had to be waged he threw his whole strength into it, in all the long list of British Indian campaigns there is probably none which was more efficiently organised than the Burmese campaign of 1852 And when a war was over, Dalhousie had no tolerance for half-measures His logical mind found no satisfaction in the establishment of dependent states with nerveless governments half controlled by English Residents He was for outright annexation and immediate and efficient reorganisation Note with what downright sledge-hammer arguments he justifies his complete suppression of the Sikh rule in the Punjab (No 135)

He had equally little patience with the dependent states under "subsidiary alliances" which occupied the greater part of the area of India, and many of which were very inefficiently governed The subsidiary system (which had been Wellesley's chief implement for the extension of British power) was an abomination in his eyes, for it ensured to the protected prince complete security to waste the revenues of his province on self-indulgence if he liked, while it imposed upon him no obligation to provide decent government If it had been possible, Dalhousie would probably not have hesitated to abolish all the

dependent states and bring the whole of India under a single just, efficient, and systematic rule. Of course it was not possible. The Company was pledged to the dependent states by a whole series of treaties, and even apart from that, the wisest students of Indian affairs did not share Dalhousie's view but believed that the existence of the native states was a good thing in itself, that it need not necessarily result in misgovernment, and that these states gave opportunities for invaluable experiments in the adjustment of East and West, and formed a most useful training-ground for Indian statesmen. Later experience has shown that men of the school of Henry Lawrence and Sleeman were right, and while some native states still stand in need of regulation and control, others have done quite admirable work. Variety is always preferable to a rigid uniformity. But though Dalhousie's view was one-sided, it was the product of his burning zeal for good government.

It was this point of view which led him to adopt the measures for which he has been most severely and most justly criticised, and which contributed in a large degree to produce the unrest that found its vent in the Mutiny. Starting with the postulate that it was not only the right but the duty of the paramount power to lose no legal opportunity of suppressing dependent states and substituting its own direct rule (see No. 137), he carried out a series of annexations on a very great scale the result of which was to bring under direct British rule an area of about 150,000 square miles previously ruled by dependent princes. His chief justification for these annexations was what has been called "the doctrine of Lapse," the doctrine that on the failure of direct heirs the dependent State lapses to the paramount power unless a new arrangement is made. In applying this doctrine he simply declined to recognise the Hindu practice of adoption, though it had been repeatedly recognised by the British Government in earlier years, and was regarded as having the fullest religious and legal sanction. On these grounds he annexed the great province of Nagpur—the Mahratta realm of the Bhonsla family—though in this case he

had some justification in the fact that the Raja had not actually nominated an heir before his death (No. 138), and a number of smaller states including Sattara and Jhansi, though in the case of Sattara the original treaty with the Company (1819) had guaranteed the State in perpetuity to the reigning prince and his "heirs and successors," a phrase which certainly, by Hindu law, covered an adopted son (No 139) On the same ground he cancelled or revised the huge pensions paid to several dethroned or degraded princes, notably the ex-Peshwa (who had been made Raja of Bithur and had adopted Nana Sahib as his son), the nominal Nawab of Bengal, and the nominal Nawab of the Carnatic As these pensions formed a great drain upon the resources of the Empire for no equivalent return, the suppression of them is capable of defence But they left a great bitterness in the dispossessed, and a feeling of nervousness and insecurity among the surviving princes This had its effect in the Mutiny Two of the most implacable enemies of British power in that great upheaval were among the victims of the doctrine of Lapse Nana Sahib of Cawnpore, and the fierce, heroic Rani of Jhansi, who, woman though she was, fought to the bitter end Again, the Nizam was forced to yield the rich province of Berar, which had been the reward of his faithfulness to the paramount power in the Mahratta wars, in order to pay off arrears due for the subsidiary force maintained for his defence Finally, the oldest ally of the Company, the Nawab-Vizier (now called the King or Shah) of Oudh, was dethroned, and his whole realm directly annexed, as a punishment for misgovernment This, the last and the most striking of Dalhousie's annexations, contributed more directly to the Mutiny than any of the rest, Oudh was almost the only region where the rising was supported not only by soldiers but by many of the landholders Yet it is the most defensible of all the annexations The anarchy and oppression that reigned in Oudh were hideous beyond words They had been the cause of continual protests on the part of the British Government for more than fifty years, and the treaty of 1801, on which the Nawab's security rested, had

stipulated that good government must be a condition of British protection. The annexation of Oudh, taken by itself, would probably not have aroused the alarm of the Indian princes, though it would have offended the local nobles who profited (or thought they profited) from anarchy It was because it came at the end of a long series of annexations many of which were not justified by misrule, that it encouraged the belief that the British power was determined to destroy every vestige of Indian tradition

This belief was strengthened by the devouring energy with which Dalhousie devoted himself to the introduction of the apparatus of Western civilisation in India No praise can be too high for the work which he did in this field, and which certainly forms his highest title to fame How many-sided and how profitable these labours were can best be realised by studying the great administrator's own summary of them, contained in the famous Minute which he wrote at the end of his administration Some excerpts from this Minute are given in No 140 He was the originator of the Indian railway system, which he planned with wonderful foresight, and of the marvellous work of irrigation which is perhaps the greatest material boon that British power has given to India, and of the telegraph system, and of cheap postage, and of scientific forestry No aspect of Indian industry or commerce failed of his enlightened encouragement and support Under his guidance education made giant strides, and he was the initiator of the Indian universities The barbarous usages that still survived in corners of India—*sati* and *thagi*, dacoiti and human sacrifice—found in him a fiercer and more fearless foe than in any of his predecessors More than any other man, he may be called the maker of modern India The restless energy with which he carried out these changes unquestionably helped to produce the suspicion and unrest that made the Mutiny possible, and it is characteristic of his powerful and masterful mind that he should never have stopped to ask himself whether he was not going too fast to carry with him the support of the timid and the old-fashioned That is his defect, but it is the defect of

great qualities. He was a lonely man, so eaten up by zeal for great causes that he forgot the frailties of humanity Therefore he had few friends, he won respect rather than love, and was never able to see his own work as it appeared in the eyes of lesser men But if he disregarded other men's weakness, he had also no pity on his own He wore himself out in the service of India, and returned to his own country only to die.

135 THE CONQUEST AND ANNEXATION OF THE PUNJAB

From Lord Dalhousie to the Court of Directors

The time has now arrived when it has become my duty to review, in all its bearings, the question of the future relations of the Punjab with the British Empire in India

I need hardly say that, during the whole progress of the war, this question has formed the constant subject of my deep and most anxious consideration

Before stating in detail the considerations that have led me to the conclusion I have formed, it will be convenient to trace briefly the course of events in the Punjab .

On the 27th of April, 1848, intelligence having reached Lahore that Mr Agnew and Lieutenant Anderson had been murdered, at Multan, after the Sikh troops, who were their escort, had accepted the overtures of the Diwan Mulraj, and had deserted them in a body, the Resident called upon the Durbar to take measures for punishing those who had committed this gross outrage against the British Government

After long consultation, the Sirdars informed the Resident that their troops, and especially the regular army of the State, could not be depended upon, and would not obey their orders to act against Mulraj

On the same day, the Resident addressed to his Excellency the Commander-in-Chief a dispatch pointing out the importance of military operations being immediately commenced against Multan, if it were thought practicable to undertake them at that period of the year.

The Commander-in-Chief replied that operations at that time against Multan would be "uncertain, if not altogether impracticable, while a delay in attaining the object would entail a fearful loss of life to the troops engaged," and he gave his decided opinion against the movement which was proposed.

The Resident concurred in his Excellency's view; and the Governor-General in Council, after full deliberation, confirmed the decision

Whether the immediate commencement at that time of the siege of Multan would, or would not, have averted the war that has occurred, can never now be determined But this, at least, is certain, that if the short delay, which took place in punishing the murder of two British officers at Multan, could produce an universal rising against us throughout all the Punjab, the very fact itself betokens the existence of a deep and widespread feeling of hostility against us, which could not long have been repressed

The worst that can be alleged, therefore, against the delay is, that it precipitated the crisis, and opened, somewhat earlier, to the Sikhs that opportunity for renewal of war, which, sooner or later, so bitter a spirit of hostility must have created for itself

The distinguished gallantry and energy of Major Edwardes (for which he has justly received the highest approbation and reward from the Sovereign and from your Honourable Court), aided by the troops of our ally, the Nawab of Bahawalpur, under the command of Lieutenant Lake, prevented the extension of the outbreak beyond the limits of the province of Multan, and confined the Diwan and his troops within the walls of his own fort

At this juncture, the Resident at Lahore directed the movement of a British force accompanied by a siege-train, to effect the reduction of the fort of Multan

The Governor-General in Council, on receiving intelligence of the order having been publicly issued, gave to it his confirmation, and, in the beginning of September, operations against the city were commenced

While our troops were on their march towards Multan, Sirdar Chatar Singh, and the portion of the Sikh army under his command, declared open hostility in Hazara

Raja Sher Singh, and his troops, on the very day after our successful attack upon the suburbs of Multan, followed Chatar Singh's example Shortly afterwards, he moved towards the north, and was there met by all the troops of the State from across the Indus

Finally, the remainder of the Sikh army joined the standard of Chatar Singh at Peshawar The disbanded soldiers and the people flocked to the army, in thousands, from the Manjha,

and proclamations were issued, calling upon all to make war upon the British .

Every regiment which could be made available, without rashly weakening the provinces in India, was ordered to the frontier The Native Army was immediately augmented—a reinforcement of European troops was applied for The Government of Bombay was requested to dispatch a strong division to Multan, from the side of Sind The Government of Fort St George was solicited to supply, by its troops, the places of additional regiments, which were ordered to be sent to the frontier from Bengal

The orders of the Government were executed with every possible expedition, and, before Christmas, there was assembled in the Punjab (exclusive of the garrison at Lahore, and all in its rear), an army of 38,000 effective men, with nearly 100 pieces of artillery, and a siege-train of 70 guns

It is unnecessary for me to trace the progress of the campaign or to dwell again on the triumphant success which the army has achieved

These have been already most fully reported to you, and the services of h s Excellency the Commander-in-Chief, and of the army under his command, have been commended to your warmest approval and favour

It is enough to say, that, in every quarter, our success has been complete

The fort of Multan has been reduced, the Diwan Mulraj has been captured, and will shortly be placed upon his trial for the offence of which he has been accused The Afghans have been expelled from the Trans-Indus Provinces

The Sikh Sirdars, and their troops, routed at Gujrat, shortly afterwards surrendered, and were disarmed The Amir of Kabul and his army have been driven out of Peshawar, and there is not, at this moment, in all the Punjab a single man who is openly in arms against us

Having thus traced the events of the prolonged campaign which, commencing in July, 1848, has now been brought to a close, I request you to mark the position in which this narrative shows the British Government and the nation of the Sikhs now stand towards one another

The relations which exist between them, the duties and obligations of each, were marked out in the Treaty of Lahore, and in the subsequent Articles of Agreement concluded at Bharowal.

The British Government has rigidly observed the obligations which the treaty imposed, and it has fully acted up to the spirit and letter of its contract

It has laboured to prove the sincerity of its profession, that it desired no further aggrandizement It has maintained the government of the State in the Council of Regency. It has advised the adoption of measures, which improved the condition of the troops, and lightened the burdens of the people at large It has given liberally the use of its forces to aid the administration of the State of Lahore It has carefully avoided to offend by any of its acts the feelings of the people, and has meddled with none of the national institutions and customs

How have the Sikhs on their part, fulfilled the corresponding obligations which the treaty imposed upon them?

There is not one of the main provisions of the agreement which they have not either entirely evaded, or grossly violated

The conduct of the Sikh troops, in their various districts, speedily justified our suspicion of their hostility

Repressed for a time, their disaffection broke out in one quarter after another, till, ultimately, nearly all the army of the State, joined by the whole Sikh people throughout the land, as one man, have risen in arms against us, and for months have been carrying on a ferocious war for the proclaimed purpose of destroying our power and exterminating our race

Thus we see that not only has the control of the British Government, which they invited, and to which they voluntarily submitted themselves, been resisted by force of arms, but peace has been violently broken, and the whole body of the nation —army and people alike—have deliberately, and unprovoked, again made war upon us

That which we desire to see—that which we must have, as indispensably necessary for the future prosperity of the territories we already possess, is peace throughout our bounds. That which we desire to secure in the Punjab is a friendly and well-governed neighbour, and a frontier without alarms, and which does not demand a perpetual garrison of 50,000 men. Of what advantage is it to us that the Council and Sirdars are friendly, if they have not the ability to control their army, which is hostile?

If the Sikh army and Sikh people are eager to seize, and have the power of seizing, on every opportunity of violating the peace which we desire to render permanent, of what value to

us, as a State, is the impotent fidelity of the Sirdars? But the fact is not so Their chiefs have not been faithful to their obligations. The troops and the people have risen in arms, their leaders have been the Sirdars of the State, the signers of the treaties, the members of the Council of Regency itself.

This is not all Not content with making war themselves upon the British, the Sikhs have laboured to induce other states and sovereigns in India to attack us also

There are in the possession of the Government many letters which have been addressed by the Sikh chiefs to the neighbouring powers, Mussulman, Hindu, and Sikh, earnestly invoking their assistance, and the burthen of every letter is the necessity of destroying and expelling the British

The bitterness of their enmity has carried them yet further still No one ever thought to see the day when Sikhs would court the alliance of Afghans, and would actually purchase their assistance by a heavy sacrifice Yet their hatred to the British name has induced them to do even this They invited the Amir Dost Mahomed Khan, from Kabul, to their aid They promised him, as the reward of his assistance, the Province of Peshawar, and lands which the King of Kabul formerly held — a possession which the Sikhs themselves valued beyond all price, which for years they had struggled to obtain, and which they gained, and held, only by vast expenditure of treasure and with the best blood of their race

The Amir of Kabul came He raised immediately the standard of the Prophet in their land—defiled the temples of the Sikh religion, plundered their villages, and most brutally treated their people—yet for all that, the Sikh nation continued to court the Amir of Kabul still They have fought, side by side, with his troops, and, after their defeat, applied for the continuance of his assistance So inveterate has their hostility to us proved to be, that the securing of Afghan co-operation against the British has been sufficient to induce the Sikhs to forget their strongest national animosity, and has, in their eyes, compensated even for Afghan cruelty to their people, and for Mahomedan insults to their religion

If the grossest violation of treaties—if repeated aggression, by which its national security is threatened, and the interests of its people are sacrificed,—can ever confer upon a nation the right of bringing into necessary subjection, the power that

has so injured it, and is ready to injure it again, then has the British Government now acquired an absolute and undoubted right to dispose, as it will, of the Punjab, which it has conquered

The British Government has acquired the right, and, in my judgment, that right must now be fully exercised

I hold that it is no longer open to this Government to determine the question of the future relations of the Punjab with British India, by considerations of what is desirable, or convenient, or even expedient

I hold that the course of recent events has rendered the question one of national safety, and that regard for the security of our own territories, and the interests of our own subjects, must compel us, in self-defence, to relinquish the policy which would maintain the independence of the Sikh nation in the Punjab

I assented to the principle that the Government of India ought not to desire to add further to its territories, and I adhere to that opinion still I conceive that the successful establishment of a strong and friendly Hindu Government in the Punjab, would have been the best arrangement that could be effected for British India, and I hold that the attempt which has been made by the British Government to effect such a settlement of the frontier state, the moderation it has exhibited, and its honest endeavours to strengthen and aid the kingdom it had reorganised, have been honourable to its character, and have placed its motives above all suspicion, whatever may now be its policy towards the Punjab

Experience of subsequent events has shown us that a strong Hindu Government, capable of controlling its army and governing its own subjects, cannot be formed in the Punjab

The materials for it do not exist, and even if they were to be found, it has now become evident that the object for which the establishment of a strong Sikh Government was desired by us would not thereby be accomplished

I sincerely lament the necessity by which we are compelled to depose from his throne a successor of Maharaja Ranjit Singh, but, when I am fairly convinced that the safety of our own State requires us to enforce subjection of the Sikh nation, I cannot abandon that necessary measure, merely because the effectual subjection of the nation involves in itself the deposition of their Prince I cannot permit myself to be turned aside from fulfilling the duty which I owe to the security and

prosperity of millions of British subjects, by a feeling of misplaced and mistimed compassion for the fate of a child . .

Although I have more than once stated to you that the Government of India did not desire, and ought not to desire, the conquest of the Punjab, I do not wish, by any means, to convey to you the impression that I regard the Punjab as a possession which it would be seriously difficult for us to maintain, or which would be financially unprofitable

You are well aware that the Sikh people form comparatively a small portion of the population of the Punjab A large proportion of the inhabitants, and especially the Mahomedan people, peaceful in their habits and occupations, will hail the introduction of our rule with pleasure

I have thus fully laid before you the grounds on which I have formed the conclusion that, having regard to events which have recently occurred, it is indispensable to the security of the British territories, and to the interests of the people, that you should put an end to the independence of the Sikh nation, and reduce it to entire subjection

After interviews with the Members of the Council, a public Durbar was held, when the Note addressed to the Regency by the Governor-General was read, the Terms granted to the Maharaja, which had been signed by the Council, were ratified by His Highness, in like manner as the Treaty of Lahore, and a Proclamation was issued, declaring the Punjab to be a portion of the British Empire in India

While deeply sensible of the responsibility I have assumed, I have an undoubting conviction of the expediency, the justice, and the necessity, of my act

What I have done I have done with a clear conscience, and in the honest belief that it was imperatively demanded of me by my duty to the State

(Arnold, *Dalhousie's Indian Administration*, i 205)

136 THE ADMINISTRATION OF THE PUNJAB

From the Court of Directors to the Governor General, 26th Oct 1853

1 Your letter dated 2nd July, 1850, transmits to us a general report on the administration of the Punjab, nominally for the years 1849–50 and 1850–51 (being the first two years after the annexation of the province to the British dominions), but bringing down all the main results to the close of the third year.

2. The various divisions of the report, and of its enclosures, will be taken into special consideration in the several departments to which they relate We will not, however, delay to express to you the high satisfaction with which we have read this record of a wise and eminently successful administration.

3 In the short period which has elapsed since the Punjab became a part of the British dominions, results have been achieved such as could scarcely have been hoped for as the reward of many years of well-directed exertions The formidable army which it had required so many battles to subdue has been quietly disbanded, and the turbulent soldiery have settled to industrious pursuits Peace and security reign throughout the country, and the amount of crime is as small as in our best administered territories Justice has been made accessible, without costly formalities, to the whole population Industry and commerce have been set free A great mass of oppressive and burthensome taxation has been abolished Money rents have been substituted for payments in kind, and a settlement of the land revenue has been completed in nearly the whole country, at a considerable reduction on the former amount In the settlement the best lights of recent experience have been turned to the utmost account, and the various errors committed in a more imperfect state of our knowledge of India have been carefully avoided Cultivation has already largely increased Notwithstanding the great sacrifices of revenue, there was a surplus after defraying the civil and the local military expenses, of 52 lacs in the first, and 64½ lacs in the second year after annexation During the next ten years the construction of the Bari Doab Canal, and its branches, and of the great network of roads already in rapid progress, will absorb the greater part of the surplus, but even during this interval, according to the Board's estimate, a balance will be left of more than double the amount of the cost of two corps, at which the Governor-General computes the augmentation of the general military expenses of India due to the acquisition of the Punjab After the important works in question are completed, the Board of Administration, apparently on sound data, calculates on a permanent surplus of fifty lacs per annum applicable to general purposes

4. Results like these reflect the highest honour on the administration of your Lordship in Council, and on the system of Indian government generally It is a source of just pride to us that our services, civil and military, should have afforded

men capable, in so short a time, of carrying into full effect such a series of enlightened and beneficent measures. The executive functionaries in the subordinate ranks have proved themselves worthy of the honourable career which awaits them. The members of the Board of Administration, Sir Henry Lawrence, Mr John Lawrence, Mr Mansell, and Mr. Montgomery, have entitled themselves to be placed in the foremost rank of Indian administrators

(Arnold, *Dalhousie's Indian Administration*, i 404)

137 The Doctrine of Lapse

From Lord Dalhousie to the Court of Directors, 1848

I take occasion of recording my strong and deliberate opinion, that, in the exercise of a wise and sound policy, the British Government is bound not to put aside or to neglect such rightful opportunities of acquiring territory or revenue as may from time to time present themselves, whether they arise from the lapse of subordinate states, by the failure of all heirs of every description whatsoever, or from the failure of heirs natural, where the succession can be sustained only by the sanction of the Government being given to the ceremony of adoption according to Hindu law

(Arnold, *Dalhousie's Indian Administration*, ii 119)

138 Sattara

The Treaty of 1819

1 The British government agrees to give the country or territory specified to the government or state of His Highness Maharaja Chatrapati His Highness and His Highness's sons and heirs and successors are perpetually to reign in sovereignty over the territory

(Aitchison, *Treaties and Sanads*, vii 440)

From Lord Dalhousie to the Court of Directors, 1848.

The words "heirs and successors" must be read in their ordinary sense, in the sense in which they are employed in other treaties between states. And in the absence of all evidence or reasonable presumption, founded on known facts,

or on some special wording of the English instrument, in favour of a wider interpretation, those words cannot be construed to secure to the Rajas of Sattara any other than the succession of heirs natural, or to grant to them the right of adopting successors to the raja without that sanction of the *sovereign state*, which may be given, or may be withheld, and which, by ordinary and invariable practice, is necessary to the validity of such an act of adoption by the prince

(Arnold, *Dalhousie's Indian Administration*, ii 120)

139 NAGPUR

From Lord Dalhousie to the Court of Directors, 1853

The case of Nagpur stands wholly without precedent We have before us no question of an inchoate, or incomplete, or irregular adoption The question of the right of Hindu princes to adopt, is not raised at all by recent events at Nagpur, for the Raja has died, and has deliberately abstained from adopting an heir His widow has adopted no successor The State of Nagpur, conferred by the British Government in 1818, on the Raja and his heirs, has reverted to the British Government on the death of the Raja without any heir Justice, and custom, and precedent, leave the Government wholly unfettered, to decide as it thinks best Policy alone must decide the question

(Arnold, *Dalhousie's Indian Administration*, ii 163)

140 SURVEY OF A GREAT PROCONSULATE

Minute by Lord Dalhousie, 28th February 1856

(The following are the most important passages of the famous Minute which Lord Dalhousie wrote at the close of his long Governor Generalship.)

2 When I sailed from England in the winter of 1847, to assume the government of India, there prevailed universal conviction among public men at home that permanent peace had at length been secured in the East Before the summer came, we were already involved in the second Sikh war

That we were so, was due to no precipitation or fault of ours The murder of the British officers at Multan, and the open rebellion of the Diwan Mulraj, were not made pretext for

quarrel with the Government of Lahore. On the contrary, the offence of the Diwan Mulraj was sedulously distinguished from national wrong The Sikhs themselves were called upon to punish Mulraj as a rebel against their own sovereign, and to exact reparation for the British Government, whose protection they had previously invoked

But when it was seen that the spirit of the whole Sikh people was inflamed by the bitterest animosity against us, when chief after chief deserted our cause, until nearly their whole army, led by sirdars who had signed the treaties, and by members of the Council of Regency itself, was openly arrayed against us, when, above all, it was seen that the Sikhs, in their eagerness for our destruction, had even combined in unnatural alliance with Dost Mahomed Khan and his Mahomedan tribes, it became manifest that there was no alternative left The question for us was no longer one of policy or of expediency, but one of national safety

Accordingly, the Government put forth its powers After a prolonged campaign, and a struggle severe and anxious, the Sikhs were utterly defeated and subdued, the Afghans were driven with ignominy through the mountains, and the Punjab became a British province

3 When little more than two years had passed, the Government of India again was suddenly engaged in hostilities with Burma

Certain British traders in the port of Rangoon had been subjected to gross outrage by the officers of the King of Ava, in direct violation of the treaty of Yandabu

Holding to the wisdom of Lord Wellesley's maxim, that an insult offered to the British flag at the mouth of the Ganges should be resented as promptly and as fully as an insult offered at the mouth of the Thames, I should, under any circumstances, have regarded it as sound policy to exact reparation for wrong done to British subjects from any native state But our relations with the Burmese Court, and the policy it had long pursued towards us, imposed upon the Government of India, at the time to which I refer, the absolute necessity of exacting from it reparation for the systematic violation of treaty, of which British traders had now made formal complaint.

Of all the Eastern nations with which the Government of India has had to do, the Burmese were the most arrogant and overbearing.

During the years since the treaty with them had been concluded, they had treated it with disregard, and had been allowed to disregard it with impunity They had been permitted to worry away our envoys by petty annoyances from their court; and their insolence had even been tolerated, when at last they vexed our Commercial Agent at Rangoon into silent departure from that port Inflated by such indirect concessions as these, the Burmans had assumed again the tone they used before the war of 1825 On more than one occasion they had threatened recommencement of hostilities against us, and always at the most untoward time

However contemptible the Burman race seem to critics in Europe, they have ever been regarded in the East as formidable in the extreme Only five-and-twenty years before, the news of their march towards Chittagong had raised a panic in the bazaars of Calcutta itself, and even in the late war a rumour of their supposed approach spread consternation in the British districts of Assam and Arakan

If deliberate and gross wrong should be tamely borne from such a people as this, without vindication of our rights or exaction of reparation for the wrong—whether the motive of our inaction were desire of peace or contempt for the Burman power, it was felt that the policy would be full of danger

Every effort was made to obtain reparation by friendly means The reparation required was no more than compensation for the actual loss incurred But every effort was vain Our demands were evaded, our officers were insulted The warnings which we gave were treated with disregard, and the period of grace which we allowed was employed by the Burmese in strengthening their fortifications, and in making every preparation for resistance

Thereupon the Government of India despatched a powerful expedition to Pegu, and within a few weeks the whole of the coast of Burma, with all its defences, was in our possession.

Even then the Government of India abstained from further operations for several months, in the hope that, profiting by experience, the King of Ava would yet accede to our just demands

But our forbearance was fruitless Accordingly, in the end of 1852, the British troops took possession of the kingdom of Pegu, and the territory was retained, in order that the Government of India might hold from the Burman state, both adequate

compensation for past injury and the best security against future danger.

4 Since hostilities with Burma ceased, the Indian empire has been at peace

No prudent man, who has any knowledge of Eastern affairs, would ever venture to predict the maintenance of continued peace within our Eastern possessions Experience, frequent hard and recent experience, has taught us that war from without, or rebellion from within, may at any time be raised against us, in quarters where they were the least to be expected, and by the most feeble and unlikely instruments No man, therefore, can ever prudently hold forth assurance of continued peace in India

But, having regard to the relation in which the Government of India stands towards each of the several foreign powers around it, I think it may be safely said that there seems to be no quarter from which formidable war can reasonably be apprehended at present

6 For nearly 40 years, Nipal has faithfully observed the peace she bought so dearly Her minister, sagacious and able, has himself been witness of the vast resources of our power, during his recent visit to Europe He has been for some time engaged in a war with Tibet, which has been productive of heavy charge, while it has brought neither power nor profit to Nipal, and must have given umbrage to China, whose tributary she is From Nipal, therefore, there is even less probability of hostility now, than in any one of the 40 years, during which she has in good faith observed the peace which she solemnly bound herself to maintain, and which her obvious interests recommend

7 Maharaja Gulab Singh of Jammu and Kashmir, so long as he lives, will never depart from the submissive policy he announced, with unmistakable sincerity in his air, when in Durbar at Wazirabad he caught my dress in his hands, and cried aloud, "Thus I grasp the skirts of the British Government, and I will never let go my hold"

And when, as must soon be, the Maharaja shall pass away, his son, Mian Rambir Singh, will have enough to do to maintain his ground against rivals of his own blood, without giving any cause of offence to a powerful neighbour, which he well knows can crush him at his will

8. On the western border, a treaty has been made with the Khan of Khelat, whereby he becomes the friend of our friends,

and the enemy of our enemies, and engages to give us temporary possession of such positions within his territory as we may at any time require for purposes of defence

9 Lastly, a treaty was concluded during the past year with the Amir Dost Mahomed Khan of Kabul It bound him to be the friend of our friends and the enemy of our enemies, while it imposed no corresponding obligation upon us, from which inconvenience or embarrassment could arise The Amir himself sought our friendship, and he has already shown that he regards it as a tower of strength

Thus the enmity which existed through many years, and which was aggravated by the Afghan policy of 1849, has happily been removed, without any sacrifice upon our part, and to our manifest advantage An alliance has been timely formed with the leading Afghan state, upon the solid basis of common interest against a common enemy Already, the consequences of the treaty have developed themselves in the conquest of Kandahar by the Amir Dost Mahomed Khan, an event which has largely increased the Amir's power, while it has brought to pass for us, that every portion of our western frontier, from the Himalayas even to the sea, is now covered against hostile attack by the barrier of a treaty with a friendly power

I venture to think that the Court of Directors will see in this brief summary ample reason to be content with the condition in which I leave the relations of the Honourable East India Company with every foreign state around its borders

10 As regards the internal tranquillity of the empire, I have already observed that no man can presume to warrant its continuance, with certainty, for a day In territories and among a population so vast, occasional disturbance must needs prevail Raids and forays are, and will still be, reported from the western frontier From time to time marauding expeditions will descend into the plains, and again expeditions to punish the marauders will penetrate the hills Nor can it be expected but that, among races so various and multitudes so innumerable, local outbreaks will from time to time occur.

With respect to the frontier raids, they are and must for the present be viewed as events inseparable from the state of society which for centuries past has existed among the mountain tribes They are no more to be regarded as interruptions of the general peace in India, than the street brawls which appear among the every-day proceedings of a police court in

London are regarded as indications of the existence of civil war in England.

12. During the eight years over which we now look back, the British territories in the East have been largely increased Within that time, four kingdoms have passed under the sceptre of the Queen of England , and various chiefships and separate tracts have been brought under her sway

13 The kingdom of the Punjab and the kingdom of Pegu were the fruits of conquest, which followed upon the wars whose origin and issue have been already stated

14 The kingdom of Nagpur became British territory by simple lapse, in the absence of all legal heirs The kingdom which had been granted to the reigning Raja by the British Government when it had become forfeited by the treachery of Apa Sahib, was left without a claimant when the Raja died No son had been born to his Highness , none had been adopted by him , none, as they have themselves admitted, was adopted at the Raja's death by the Ranis his widows There remained no one male of the line, who descended from the stock and bore the name of Bhonsla

The British Government, therefore, refused to bestow the territory in free gift upon a stranger, and wisely incorporated it with its own dominions

15 Lastly, the kingdom of Oudh has been assumed in perpetual government for the Honourable East India Company, in pursuance of a policy which has so recently been under the consideration of the Honourable Court, that I deem it unnecessary to refer to it more particularly here

16 The principality of Sattara was included in the British territories of 1849, by right of lapse, the Raja having died without male heir

17 In like manner the chiefship of Jhansi has reverted to the possession of the Indian Government

18 Lastly, by a treaty concluded in 1853, his Highness the Nizam has assigned in perpetual government to the Honourable East India Company the province of Berar, and other districts of his state, for the permanent maintenance of the Hyderabad Contingent, for the payment of certain debts which he had incurred, and for the termination of those transactions which for many years had been the fruitful source of dispute, and had even endangered the continuance of friendly relations between the states

19. By the several territorial acquisitions which have just

been enumerated, a revenue of not less than four millions sterling has been added to the annual income of the Indian empire.

20 Stated in general terms, the revenue of India has increased from £26,000,000, in 1847–48, to £30,000,000 in 1854–1855, and the income of the present year, exclusive of Oudh, has been estimated at the same amount of £30,000,000 sterling

21 The increase which has gradually and rapidly taken place in the external trade of India may be fairly estimated by the shipping returns of its principal port, Calcutta

In 1847–48, there arrived in the Hugli 625 vessels (exclusive of native craft), amounting to 274,000 tons In 1854–55, the number of vessels had increased to 866, and the tonnage to 581,000 tons Thus, in these eight years, the tonnage which sought the port of Calcutta has more than doubled in amount

24 It is impossible, within the narrow bounds of a single Minute, to describe all the various changes that have been made, and the improvements that have been introduced, in the system of Indian administration and its several subordinate departments, during the long period which is now being passed under review A few leading facts can alone be recalled and marshalled in their order

25 The several new provinces, whose government we have assumed, have been administered in tranquillity and with success

The remarkable results which have attended the labours of the able and eminent men, to whom was committed the charge of the province of the Punjab, are now familiar to Parliament and to the country I feel it to be unnecessary to add even a single word to the Punjab reports already submitted to the Honourable Court, which explain how "internal peace has been guarded, how the various establishments of the state have been organised, how violent crime has been repressed, the penal law executed, and prison discipline enforced, how civil justice has been administered, how the taxation has been fixed and the revenues collected, how commerce has been set free, agriculture fostered, and the national resources developed, how plans for future improvement have been projected, and, lastly, how the finances have been managed"

26 In the province of Pegu the results of our administration have been satisfactory in a high degree, though they have

neither the brilliancy nor the interest which attaches to the labours of the local officers in the Punjab.

But in Pegu also we have the satisfaction of knowing that, in spite of the peculiar discouragements and heavy difficulties with which our officers have had to contend, complete tranquillity has long since been established The people, lightly taxed, and well to do, are highly contented with our rule Order and quiet prevail throughout the districts Even in Tharrawadi, which, under the Burman rule, was the permanent refuge of rebellion and crime, all outrage has ceased The rivers, the great highways of the country, watched by an effective police, are traversed in safety by all Trade is rapidly increasing A new port has been founded for the new European trade which has at once sprung up, and, light as taxation is, the revenue has already exceeded the amount at which I estimated its probable measure, for it is expected that 27 lacs will be collected this year

Population alone is wanting When that deficiency shall have been supplied, the province of Pegu will equal Bengal in fertility of production, and will surpass it in every other respect

27 The anticipations of those who believed that the renewal of British authority in Nagpur would be hailed with lively satisfaction by the whole population of the province have been more than fulfilled by the event

The Raj was transferred by a simple order to the possession of the British Crown Not one additional soldier was moved into the province Our civil administration has been introduced into every district Such portion of the army as was required has been embodied and disciplined in our pay, while the rest have been pensioned, or discharged with a handsome gratuity Perfect contentment and quiet prevail Beyond the palace walls not a murmur has been heard, and in no single instance throughout the districts has the public peace been disturbed

28 Equally happy results have attended the assignment which the Nizam was persuaded to make of the districts belonging to the state of Hyderabad

In the possession of Berar and the neighbouring districts of Nagpur, the British Government, it deserves to be remembered, has secured the finest cotton tracts which are known to exist in all the continent of India; and thus has opened up a great additional channel of supply, through which to make good a

felt deficiency in the staple of one great branch of its manufacturing industry.

Since the assignment was made all disputes with the Nizam have ceased

Though the districts assigned were covered with places of defence, the famous fortress of Gawilghar among the rest, and although they were garrisoned by Arabs or Rohillas, yet all were delivered over submissively and at once, and not a single shot was fired in anger

There also the civil administration has been introduced. Crime—especially the violent crime of dacoity—has already much diminished The revenue is already rapidly increasing The public tranquillity has not been disturbed by even a single popular tumult, and the admirable little army, which was formerly the Nizam's Contingent, but which is now a British force, is available for any service for which it may be required

29 The assumption of the government of Oudh is an event too recent to admit of any record being given of the progress that has been made towards the organisation of its future administration The government of the province was assumed on the 7th of this month Up to the present time no resistance has been attempted, no disturbance of the public peace has occurred The troops of the king are contentedly taking service in our pay, and thus far at least no *zemindar* or chief has refused submission to our authority

A complete civil administration had been prepared, and the military force which it was intended to retain had been fully organised, before negotiations were opened with the king Officers had been named to every appointment The best men that could be found available were selected from the civil and military services for the new offices in Oudh, and the Government has every reason to anticipate that they will achieve an equal degree of success, as those to whom similar tasks have previously been committed

30 It is not, however, in the new provinces alone that great changes have been brought to pass When the Statute of 1833 expired,[1] material and important changes were made by the hand of Parliament upon the frame of the administration itself Of these, two principal measures are worthy of note

31 Until that time the local government of Bengal had

[1] It expired in 1853, when, after an elaborate enquiry and a report in several volumes, a new Act was passed. The 1853 Act is not here reprinted, because it was so soon to be replaced by the Act of 1858.

been placed in the hands of the Governor-General of India. But in the year 1853 the system, by which the officer charged with the responsibility of controlling the government of all India was further burdened with local duties of vast extent and importance, was happily abandoned The Governor-General was finally liberated from the obligation of performing an impossible task, and a Lieutenant-Governor was appointed to the charge of Bengal alone

32 At the same time another great change was introduced, equally novel in its character, and not less important

A Council was appointed as the Legislature of India, which was no longer identical with the Supreme Council, but included divers other members, and exercised its functions by separate and distinct proceedings of its own

The organisation of the Legislative Council proved to be a work which involved great labour, and was attended with many difficulties The proceedings of the Council, however, were speedily reduced to form The duties of legislation have subsequently been laboriously and faithfully performed The public has long since had access to its deliberations Its debates and papers are printed and published, and I trust, and believe, that Parliament and the public will each year see reason to be more and more content with the manner in which the Legislative Council of India will fulfil the purposes for which it was established

41 Seven years ago the heir-apparent to the King of Delhi died. He was the last of the race who had been born in the purple The Court of Directors was accordingly advised to decline to recognise any other heir-apparent, and to permit the kingly title to fall into abeyance upon the death of the present King, who even then was a very aged man The Honourable Court accordingly conveyed to the Government of India authority to terminate the dynasty of Timur, whenever the reigning King should die But as it was found that, although the Honourable Court had consented to the measure, it had given its consent with great reluctance, I abstained from making use of the authority which had been given to me The grandson of the King was recognised as heir-apparent but only on condition that he should quit the palace in Delhi in order to reside in the palace at the Kutb,[1] and that he should, as King, receive the Governor-General of India at all times on terms of perfect equality

[1] One of the old Delhis a few miles south of the Mogul city

42 The Nawab Nazim of Bengal having permitted a cruel murder, by the infliction of bastinado, to be committed within his jurisdiction, and almost at the door of his tent, his Highness's peculiar jurisdiction and legal exemption were taken away from him, and he was subjected to the disgrace of losing a large portion of the salute of honour which he had previously received

43 During the last autumn the Nawab of the Carnatic very suddenly died

As the treaty by which the *Masnad* of the Carnatic was conferred on his Highness's predecessor was exclusively a personal one, as the Nawab had left no male heir, and as both he and his family had disreputably abused the dignity of their position, and the large share of public revenue which had been allotted to them, the Court of Directors has been advised to place the title of Nawab in abeyance, granting fitting pensions to the several members of the Carnatic family

44 Very shortly after the death of the Nawab of the Carnatic, the Raja of Tanjore deceased He left no son, and no male heir, direct or indirect, who bore his name The Honourable Court was therefore advised to resume the large stipend which the Raja had enjoyed, as a lapse to the Government, pensions being granted to the members of the family as in all similar cases

49 The catalogue of the changes and improvements which have been effected, and of the measures that have been taken under various heads in the several branches of the civil administration, during the last eight years, is happily a long one

It commences with the organisation of the civil service itself

50 By the statute which was passed in 1853 to provide for the Government of India, admission to the Indian civil service was thrown open to all who, being natural-born subjects of the Queen, should offer themselves as candidates for examination and admission

This change of system, comprehensive in its principle and momentous in its consequences for good or for ill, is still an experiment whose result remains to be seen

51. Before this large step was taken by the Imperial Parliament, new and stringent rules had been introduced by the Government of India, for increasing the efficiency of the officers of the civil service

52 Periodical examinations of the covenanted assistants

in the several branches of the administration have been established Every assistant is required to pass each of these successive examinations before he receives promotion to any higher grade in the civil service

A similar system of examinations has been established for the uncovenanted officers whom the Government employs

It is believed that the regulations just described have been productive of the best effect .

67 Two great subjects, which command the deepest interest and attention in England, have received, during these years in India, a large measure of consideration and practical development—I mean, Prison Discipline and Education

It was in the North-West Provinces, under the administration of Mr Thomason, that the first effectual effort was made for the improvement of prisons and prison discipline

The appointment of an Inspector of Prisons within that jurisdiction was found to be so beneficial in all respects, that a similar office was created in Bengal The Governments of Madras and Bombay have since been authorised to establish the office within their respective Presidencies It has long since been found necessary to employ an officer in that capacity for the non-regulation province of the Punjab , and the advantage which would have been derived from possessing the control of such an officer there from its first annexation having been made apparent, the Government has profited by experience, and has included an Inspector of Prisons among the necessary administrative officers of the province of Oudh

68 Until of late years the progress of education in India, under the auspices of the several local Governments, must be admitted to have been languid and inconsiderable

It received its first great impulse, as a general system, from the hand of the late Mr Thomason, who obtained permission to establish a Government school in every *Tahsildari* within eight districts in Hindustan The measure was declaredly experimental , but it was attended with such signal success, that in 1853 the Government of India very earnestly recommended that the system of vernacular education, which had proved so effectual, should be extended to the whole of the North-Western Provinces Not only was this large measure recommended for immediate adoption, but similar measures were advised for the lower provinces of Bengal, and for the Punjab , with such modifications as their various circumstances might be found to require

The Supreme Government did not fail to give its attention to the subject of vernacular education in Bombay and Madras, in the former of which some progress has been made.

About the same period the Hindu College and the Madrissa in Calcutta were revised and improved In connexion with them, the Honourable Court was requested to sanction the establishment of a Presidency College at Calcutta, which should be open to all classes of the community, and which should furnish a higher scale of education, especially of English education, to the youth of Bengal, than was supplied by any existing institutions

The establishment of the College has since been sanctioned

While the proposals for that institution, and for the extension of vernacular education, were still before the home authorities, the Honourable Court addressed to the Government of India their great education despatch, dated 19th July 1854 It contained a scheme of education for all India, far wider and more comprehensive than the local or the Supreme Governments could ever have ventured to suggest It left nothing to be desired, if, indeed, it did not authorise and direct that more should be done than is within our present grasp

Vernacular schools throughout the districts, Government Colleges of a higher grade, and a University in each of the three Presidencies of India, were the main features of this great plan

The bestowal of grants-in-aid on all educational institutions was also sanctioned, subject to certain rules, and on the condition of Government inspection being at all times and fully admitted

Immediate steps were taken in India for giving effect to the orders of the Honourable Court

A distinct department for the superintendence of education was constituted A Director-General of Public Instruction has been appointed by each Governor and Lieutenant-Governor, and in the Punjab , and suitable aid by inspectors and others has been allotted to each of them.

Provisional rules for regulating grants in aid have been sanctioned, for the guidance of the several local Governments

Lastly, a committee has been appointed for the purpose of framing a scheme for the establishment of Universities at the Presidency towns of Calcutta, Madras, and Bombay It is still engaged on its difficult task [1]

69 In its general educational projects, the Government

[1] The Universities were actually established in 1858

has not lost sight of a collateral object, full of peculiar interest —namely, the education of the females of India

In 1850, at the suggestion of the late Mr Bethune, then the President of the Council of Education, that body was instructed by the Government of Bengal to consider their functions as henceforth extending to the superintendence of native female education, and that where any disposition was shown by the natives to establish Female Schools, it would be their duty to give them all possible encouragement

The Court of Directors, in their despatch already referred to, observed, that the importance of Female Education cannot be overrated, and they expressed their cordial sympathy with the efforts which had been made for its encouragement and extension

It is well known that among the many difficulties which have stood in the way of educating the females of India, none has been more obstructive than the reluctance which has always been shown by the higher classes of natives to consent to permit the attendance of their daughters in schools The late Mr Bethune endeavoured to meet this difficulty at the capital by founding a school for the especial instruction of the female children of natives of wealth and rank It began with very small beginnings But the influence, the liberality, and the perseverance of its founder, enabled him to achieve and to witness a certain success in his labours

His unexpected and lamented death in 1851 seemed likely to be fatal to the benevolent and novel undertaking in which he had engaged Unwilling that any chance of success in so desirable an object should be lost, I adopted and have myself supported the school from the time of Mr Bethune's death until now

70 While it is gratifying to me to be thus able to state that the moral and social questions which are engaging attention in Europe have not been neglected in India during the last eight years, it is doubly gratifying to record, that those years have also witnessed the first introduction into the Indian empire of three great engines of social improvement, which the sagacity and science of recent times had previously given to the Western nations—I mean Railways, uniform Postage, and the Electric Telegraph

In the spring of 1853, the Government of India submitted to the Court of Directors its view upon the general question of railways for the Indian empire. The Honourable Court was

respectfully advised to encourage the formation of railways in India to the utmost It was urged not to hesitate to engage in the enterprise upon a scale commensurate to the vast extent of the territories which had been placed under its Government, and to the great political and commercial interests which were involved

It was specifically recommended that, in the first instance, a system of trunk lines should be formed, connecting the interior of each Presidency with its principal port, and connecting the several Presidencies with each other

The Honourable Court was pleased to give its approval to the general plan which the Supreme Government had sketched

Some progress has already been made in the construction of most of these lines, and measures have been taken for the construction of them all in due course of time

72 The inferiority of the postal system in India, and the unsatisfactory manner in which the Post-office department had been found to work in every Presidency, induced the Supreme Government, in the year 1850, to appoint a commission, consisting of one member from each Presidency, to examine into the Post-office system, and to report on some scheme for its improvement

The Report prepared by the commission was submitted for the consideration of the Honourable Court of Directors It resulted ultimately in the adoption of the following principal changes and improvements in the Indian postal system 1st The institution of the Post-office throughout India as a distinct department, superintended by the "Director-general," under the immediate control of the Government of India 2nd The establishment of a uniform single rate of postage, of half an anna (¾d) for letters, and of an anna (1½d.) for newspapers, irrespective of distance 3rd The substitution of postage stamps for cash payments 4th The restriction of the privilege of official franking to as few officers as possible

As yet, it is too soon to form any correct estimate of the actual effect of these changes upon the amount of general correspondence, and upon the public revenue So far as we may venture to form a conjecture, the increase in correspondence has already been at the rate of 25 per cent, while the loss of revenue has been less considerable that was expected.

On the other hand, it would be difficult to form any conception at all of the real magnitude of these changes, and of

their social effects, unless by illustration and contrast. Two simple facts may, perhaps, enable a bystander to estimate in some degree the extent of our postal reform, and its value

In England, a single letter is conveyed to any part of the British Isles for 1d., in India, a single letter is conveyed over distances immeasurably greater—from Peshawar on the borders of Afghanistan, to the southernmost village of Cape Comorin, or from Debrughar in Upper Assam, to Karachi at the mouth of the Indus—for no more than ¾d The postage chargeable on the same letter three years ago in India would not have been less than 1s, or 16 times the present charge

It has rarely happened that a departmental revolution so complete, having consequences so widespread and so generally beneficial, could be recorded in so few lines as have now sufficed to exhibit the reform of our Indian Post-office, and its excellent results

73 It was in the beginning of April 1852, that the report of Dr W O'Shaughnessy, on the full completion and the successful working of the experimental line of electric telegraph, which had previously been authorised by the Honourable Court, was laid before the Government of Bengal

In November 1853, the construction of the telegraph line from Calcutta to Agra was commenced On the 2nd March 1854, a message was sent over the line from Agra to Calcutta, a distance of 800 miles, which had been completed in less than five months

The vigour which was thus apparent at the commencement of the work was fully maintained throughout all its subsequent progress On the 1st February 1855, 15 months after the commencement of the work, the superintendent was able to notify the opening of all the lines from Calcutta to Agra, and thence to Attock, on the Indus, and again from Agra to Bombay, and thence to Madras These lines included 41 offices, and were extended over 3050 miles of space

Nor is this all Since the commencement of the past year, the line of electric telegraph has been completed to Peshawar, it has been extended from Bangalore to Ootacamund, and is nearly finished from Rangoon to Meeaday upon the Burmese frontier

To sum up in a single sentence The Superintendent has stated in his last report, that 4000 miles of electric telegraph have been laid down and placed in working order since the month of November 1853.

In the Minute in which, as Governor of Bengal, I first proposed the construction of a general system of telegraphs to the Governor-General in Council, it was observed "Everything, all the world over, moves faster now-a-days than it used to do, except the transaction of Indian business"

Whoever shall peruse the paragraphs that have just been written, will be ready to admit, that, so far as the electric telegraph is concerned, the reproach of tardiness has been removed

Furthermore, I make bold to say, that whether regard be had to promptitude of executive action, to speed and solidity of construction, to rapidity of organisation, to liberality of charge, or to the early realisation and vast magnitude of increased political influence in the East, the achievement of the Honourable Company in the establishment of the electric telegraph in India may challenge comparison with any public enterprise which has been carried into execution in recent times, among the nations of Europe, or in America itself

78 While efforts have thus been made, in various provinces of the empire, to give full freedom to the course of trade, the Government of India has been sedulous in originating and encouraging endeavours to discover and bring to use the hidden resources of the Indian territories

79 The great acquisition which has been made by the possession of the cotton districts of Berar and Nagpur has already been noticed

Attention has also been given to the cotton which is produced in the upper districts of Pegu A gentleman having practical knowledge of the subject was deputed to examine the districts beyond Prome and Thayet Myo His report, although meagre, was encouraging in a certain degree

80 The cultivation of tea in Assam has prospered in a remarkable degree

More recently, Mr Fortune has been employed to bring plants and seeds in large quantities from China, and to engage Chinese workmen for the manufacture of the tea

Very large quantities of tea are now manufactured every year. It sells readily, at a high price There is every reason to believe that the cultivation of the tea plant will be very widely spread in future years, and that the trade in tea produced in India will become considerable in extent

81 An Agricultural and Horticultural Society having been established in the Punjab, the Government has given to it

a liberal annual contribution, and constant support and aid.

Different kinds of seeds have been procured from Europe for the improvement of agriculture in that province

The growth of flax has been largely encouraged, and the cultivation of it at once extended to very considerable dimensions

An experiment for the growth of silk having been undertaken, workmen skilled in the business, mulberry plants, and every other requisite, were provided abundantly by the Government

Measures also have been taken for preserving the breed of horses, which was formerly much prized in the Punjab

And to aid the exertions of the society for introducing a better breed of sheep into the country, Merino rams were procured by the Government, and application was made for the importation of a further supply from the Australian Colonies

82 The preservation and renewal of forests in different parts of India is an object of the highest public importance, which until lately had not received the attention it deserved Rules have now been laid down, and appointments have been made, which, it is hoped, will for the future have the effect of preventing all unthrifty management of the forests, on which we must mainly depend for the supply of necessary timber, while the renewal of the trees, as well as their preservation, will be provided for

With that view, a Conservator of Forests was appointed in Pegu, as soon as we obtained possession of the province A similar officer has been appointed for Tenasserim and Martaban

The principal forests from which our supply of timber for public purposes in Hindustan was derived belonged to the Government of Oudh They have heretofore been beyond our control, but they will now be carefully regulated and preserved

Similar endeavours have been made for the preservation of the forests within the Hill States But as most of these belong to Hill Chiefs, the attainment of the object at which the Government aims is beset with difficulties

Regulations, however, have been laid down for the management and for the renewal of those forests over which the Government can exercise control

A complete examination of all the forests upon the Sutlej

and Beas has been made by an officer appointed by the Government of India; and every precaution has been taken for their future preservation and thrifty management, by leasing tracts of forest for our own use, by the prohibition of burning the hill-sides, and by the exercise of such influence as can be used with the improvident and ignorant petty potentates, to whom the forests for the most part belong.

The plains of the Punjab are wholly destitute of fruit trees. Shortly after our occupation of the province, instructions were issued by the Government, with a view to the gradual removal of this great want. It is hoped that the measures which were enjoined, and which have been vigorously carried into effect, may in due time produce the results which the Government has had in view. But the process must needs be slow, and if success shall ultimately be attained, it must be the work of time.

83. During the last eight years, persevering efforts have been made to render available the mineral wealth which this country is believed to possess.

At the present time two principal necessities which press upon the Government, and are felt to be essential to the interests of the community, are iron and coal. Every possible effort has been made, and is still making, to supply those great necessities.

84. Mr. Oldham, a gentleman possessing scientific and practical knowledge of the subject, was appointed by the Court of Directors to make full examination of the districts in which coal might be present. Mr. Oldham has already examined the principal districts of Bengal, Sylhet, and Tenasserim, and he is now carrying on his investigations in the Nerbudda Valley.

There is no doubt of the existence in India of coal in abundance. But the great difficulty of access to it, and distance, are formidable impediments in the way of rendering it available for the purposes for which it is required.

85. Inquiries regarding the capacity of the Indian territories as an iron-producing country were actively set on foot by the deputation of M. Marcadieu in 1853, as a geological surveyor, to examine and report upon the iron mines which were said to exist in the hills to the north of Simla.

Other investigations, carried on simultaneously by different persons in various quarters, have been equally successful in the discovery of iron ores.

On these encouraging facts fair hopes may be built that the present most urgent want of India, in connexion with her material improvement, namely, an ample supply of good iron within her own bounds, may at no distant date be abundantly supplied

86. Before proceeding to describe the various classes of public works which, during the last eight years, have been undertaken by the Government for the material improvement of the country, it should be stated that steps have been taken for the execution of a topographical survey of all our recent territorial acquisitions, as a measure which is a necessary preliminary to all systematic improvement

Thus, in the Punjab, surveys were very early established in different portions of the province, and on a large scale .

In connexion with this part of the subject it may be mentioned, that in Central India the consent of all the native states has been obtained to the making of a topographical survey, and to a demarcation of all the boundaries between the several native states, and between the British territories and those of native states

This measure is of great importance and value, not only with reference to the possible future improvement of those territories, but for the preservation of public tranquillity, which has heretofore been so frequently disturbed by feuds arising from disputed boundaries

87 Of all the works of public improvement which can be applied to an Indian province, works of irrigation are the happiest in their effects upon the physical condition of the people And foremost among all the works of irrigation that the world as yet has ever seen, stands the Ganges Canal, whose main stream was for the first time opened on the 8th April, 1854

When the opening of the canal was reported to the Honourable Court, the work was thus briefly described

"Within eight years the main lines of the Ganges Canal, applicable to the double purpose of irrigation and navigation, have been designed, executed, and opened

"Extending over 525 miles in length, measuring in its greatest depth 10 feet, and in its extreme breadth 170 feet, the main irrigation line of the Ganges Canal is justly described 'as a work which stands unequalled in its class and character among the efforts of civilised nations' (Letter, Lieutenant-Governor, April 1854, para 8)

"Its length is five-fold greater than that of all the main lines of Lombardy united, and more than twice the length of the aggregate irrigation lines of Lombardy and Egypt together—the only countries in the world whose works of irrigation rise above insignificance.

"As a single work of navigation for purposes of commerce, the Ganges Canal has no competitor throughout the world No single canal in Europe has attained to half the magnitude of this Indian work It nearly equals the aggregate length of the four greatest canals in France It greatly exceeds all the first-class canals of Holland together, and it is greater, by nearly one-third, than the greatest navigation canal in the United States of America

"I have spoken here of the main line alone When the branches in progress shall have been completed, the extent and influence of the work will be vastly increased throughout all its gigantic proportions

"Wonderful and admirable in all respects as the Ganges Canal is felt to be, it has been well said, in the words which the Lieutenant-Governor has quoted, 'that there is no more striking fact in connexion with it, than that such a truly gigantic undertaking should have been, in its design, the work of a single intellect, and in its execution the work of a third part of one man's professional life'"

All the plans for the prosecution of the works upon the canal had been formed before the Government of India was placed in my hands But of the sum of £1,400,000 which had been expended upon the canal at the time of its opening in 1854, all, excepting £170,000, has been granted since my administration commenced No financial pressure, no exigencies of war, were suffered to interrupt the progress of that great work Its main lines have now been opened for nearly two years, the water has been admitted over their whole length, the works have stood the test, during the last monsoon, of some of the severest floods that have ever been known, and as yet the success has been in all respects complete

When the branches shall be finished, the canal will extend to about 900 miles in length It is estimated that the area which may be irrigated by its waters will not be less than 1,470,000 acres, but none can estimate, in their full extent, the blessings which its fertilising influence will confer upon millions, whom it will place henceforth beyond the reach of those

periodical calamities of season which from time to time, as in 1837, have brought upon the plains of Hindustan the wide-spread desolation of famine and death

I trust I shall not be thought vain-glorious if I say that the successful execution and completion of such a work as the Ganges Canal would, even if it stood alone, suffice to signalise an Indian administration

88 Although the gigantic proportions of the Ganges Canal might appear at first sight to dwarf all other similar works into *insignificance, the Government during these years has under*-taken other irrigation projects, which must also be regarded as of great magnitude and importance

Soon after the annexation of the Punjab, the sanction of the Government was given to the construction of a large canal with various branches, which should be fed by the waters of the River Ravi, and which should be applied to the irrigation of the Manjha (the tract which was chiefly inhabited by the Sikhs), and of the rest of the Bari Doab

The Report on the Punjab did not exaggerate the magnitude or the importance of the works in the Bari Doab, when it stated that the new canal would be "second in India only to the great Ganges Canal, and equal, if not superior, to the finest irrigation canals in Europe"

97 Next in order to works of irrigation stand works for improving the general communications of the country Of these, works of internal navigation shall first be noticed

98 Already, before 1848, the Ganges had been covered with a flotilla of river steamers, provided as well by Government as by the enterprise of private companies, for conveying the great trade which sought passage upon its waters

99 When the conquest of the Punjab gave the upper stream of the River Indus into our possession, the Government was in hopes that private enterprise would place river steamers upon its stream even more abundantly than upon the Ganges That hope was disappointed The Government, therefore, endeavoured by its own flotilla to establish a regular communication by steam between the sea and the rivers of the Punjab

100 Surveys have been made of the principal rivers of the Punjab with a view to the extension of river navigation still further into the interior of the province

101 Immediately after the occupation of the province of Pegu, half of the steam flotilla upon the Ganges was trans-

ferred to the Irrawaddy; and it forms now the great vehicle for trade, and for the conveyance of supplies between the frontier and the sea. . . .

106. The value of all such channels of inland navigation as lead to the sea, must of course be greatly dependent upon the condition of the ports at which they respectively terminate. The public records will show that the improvement of ports of shipment has not been lost sight of

107 The access to the port of Calcutta, for a great part of the immense trade which flows to it from Bengal and other provinces, lay through the Sunderbans, which were connected with the Hugli by two canals These have been enlarged and deepened

The accommodation in the port of Calcutta for the increasing number of ships which of late years have resorted to it, has been considerably augmented

109 The accommodation of the harbour of Bombay has been improved by the addition and extension of piers, and by the recovery of Moodie Bay, at a large expense, from the sea, whereby ground for a railway terminus, a custom house, basin, etc, will be obtained, and much additional space will be secured

110 The harbour of Karachi has also been much improved Until of late the harbour was supposed to be inaccessible during the monsoon Its accessibility at that season has now been fully proved, and communication with Bombay and all other quarters will continue uninterrupted throughout the year .

113 Lights, buoys, and pilots have been provided for the port of Rangoon, and provision is now being made for the new port of Dalhousie, on the Bassein River .

118 It would be impossible to compress within the limits I wish to observe, an enumeration of all the works which have been executed or sanctioned by the Government of India for the improvement of inland communication by means of ordinary roads, during the past eight years I shall notice merely a few of the leading lines

119 The Grand Trunk Road, which had, speaking generally, been completed as far as Delhi, has been carried on without interruption

In the Lower Provinces many large bridges have been constructed, but it must unfortunately be added, that several have been destroyed by the force of floods, and their place must again be supplied.

120. When the Punjab became a British province, the prolongation of the Grand Trunk Road across its breadth was seen to be an object of primary importance. Accordingly, the line has been carried from Ludhiana by Jallander to the Beas, and thence by Amritsar to Lahore, and from Lahore, by Wazirabad, Jhelum, Rawalpindi, and Attock, to Peshawar

Every natural difficulty that can be conceived has been encountered Vast expense has been incurred But the road is rapidly approaching to completion, and by its usefulness will repay a thousand-fold the labour and the treasure it has cost

134 While the Government of India has thus been earnest in its endeavours to urge the prosecution of new works of public advantage, it has not neglected to take due measures for the preservation of the magnificent works of former times

The attention of the Government having been drawn to the fact, that the noble arches and other remains of ancient architecture in the immediate vicinity of the Kutb at Delhi were in such disrepair that there was danger of their falling in, and of their being thus lost to the world, immediate orders were given for their preservation

At the same time general instructions were issued to the officers of Government, declaring the desire of the Governor-General in Council, that all such interesting and instructive monuments of former people and former days should be carefully preserved, and that the executive officers at Agra, Delhi, and wherever such remains are to be found, should consider it to be a part of their duty to see that they were upheld and sedulously cared for

Similar orders have been issued in the Punjab, with especial reference to the buildings there, soon after our occupation of the province

139 It will be readily perceived that when there has been so great an increase of public works of late years, there must have been by some means a great addition made to the agency by which those works were to be executed This has been the case

140 Simultaneously with the great exertions which have been made during these years to obtain from every various quarter a present supply of officers for the Public Works Department, active means have been taken to form what, it is hoped, will prove a fruitful source of supply hereafter

141. It was the far-seeing sagacity of Mr Thomason which

first anticipated the necessity of training engineers in the country itself in which they were to be employed, and which first suggested an effectual method of doing so On his recommendation, the Civil Engineering College of Rurki, which now rightly bears his honoured name, was founded with the consent of the Honourable Court It has already been enlarged and extended greatly beyond its original limits

142 A similar College for civil engineering has lately been founded at Calcutta, another is in process of formation at Madras, and a third has been sanctioned in the Presidency of Bombay

143 Subsidiary to the colleges, there has been temporarily sanctioned a civil engineering class in Lahore, and, very recently, a civil engineering class at Poona

145 Having thus concluded a recital of the measures which have been taken of late years for the prosecution of material improvements in India, it will not be out of place to make mention here of the progress that has been made during those same years towards the removal of certain noted evils, which have long been just causes of national reproach, and which have been viewed with considerable interest even by the community in England The noted evils to which I refer, are *Sati*, *Thagi*, Female Infanticide, and the Meria Sacrifice

146 The prohibition of *Sati* by the British Government is now a familiar tale In the time of those who preceded me, great progress had been made in persuading all native princes to unite in denouncing the rite, and in punishing those who should disregard the prohibition

The Government of India, since 1848, has had only to follow up the measures of preceding years

When *Sati* has occurred in an independent state, no opportunity of remonstrating has been lost When it has occurred in any district which was within our control, no indulgence has been shown to the culprits .

147 *Thagi* has become almost unknown in the provinces of India which lie to the eastward of the Sutlej The detective establishments of the Government are still maintained, but the brotherhood has disappeared, and the crime of *thagi*, in the peculiar sense in which the word is familiarly understood, can hardly now be said to exist

In 1854, the Chief Commissioner of the Punjab was able to report to the Government regarding *thagi*, that "during 1852, the last year in which the crime had any chance of

making head, there were only 35 murders Since that year the crime would appear to be almost extinct During 1853 there was only one murder reported "

Wherefore, even in its last refuge, the provinces across the Sutlej while they were still under the dominion of the Sikhs, the crime of thagi can hardly now be said to exist In truth, the only aspect in which *thags* can now be seen in India, is that of a well-conducted community at Jabalpur where the former approvers of the tribe, together with their relatives and their descendants, are kept under inspection, and where they form a quiet and prosperous colony, remarkable only for the industry which they exhibit, and for the excellence of the fabrics produced by their hands, fabrics which have taken their place in the great Exhibitions of London and of Paris, and which are said to have done no discredit there to the manufacturing skill of Indian nations

149 It only remains to notice the measures that have been taken for the suppression of Meria sacrifices

This horrible rite, which consisted in the sacrifice, with every circumstance of atrocity, of young human victims, for the propitiation of the special divinity which presided over the fertility of the earth, prevails only among the hill and jungle tribes of the province of Orissa Measures for the suppression of the rite had been undertaken before the year 1848 They have been steadily pursued in subsequent years The nature of the country, the nature of the climate, the nature of the people, all was adverse to success Nevertheless, the exertions of the officers to whom the duty was entrusted have been singularly successful Multitudes of victims during that time have been rescued from the horrible fate that awaited them, and have been settled in villages within our control The various tribes have, one by one, consented to abandon the rite , and, from the narrative given in the papers, which were published upon this subject by the Government, it does not appear over sanguine to anticipate that, as regards the tribes which are at all subject to our influence or lie within our reach, the Meria sacrifice may be considered to be at an end

150 The review which I proposed to take in this Minute of the events of the last eight years, and of the fruits they have produced, has now been brought to a close No attempt has been made to embellish the narrative It is for the most part a simple recital of what the Government of India has done If the recital should seem dry in itself, it may be hoped that

the results which it exhibits will not be thought by the Honourable Court to be unprofitable or disappointing.

One of the last, and not the least important, of those measures which have emanated from the Government of India during the past years, has been a resolution to require henceforth from the Government of every Presidency, from each Lieutenant-Governor, and from the chief officer of every province, an annual report, narrating the incidents that may have occurred during the year within their several jurisdictions, and stating the progress that may have been made, and all of moment that may have been done, in each principal department of the civil and military administration

My parting hope and prayer for India is, that, in all time to come, these reports from the Presidencies and provinces under our rule may form, in each successive year, a happy record of peace, prosperity and progress

(Parliamentary Papers, 1856, No 245)

CHAPTER XI

THE DISAPPEARANCE OF THE COMPANY

1858

WITH the close of Dalhousie's Governor-generalship the theme of this book, strictly speaking, comes to an end For that theme has been the growth of the territorial power, and of the system of government, of the East India Company The Company expired in the flames of the Mutiny which broke out very soon after Dalhousie left India The story of the Mutiny itself is no part of our subject, it did not add to the territorial power of the Company, or alter its system of government, and in any case its confused and complicated causes, and its tragic and terrible course, could not be usefully illustrated in the space at our command It remains only to wind up the history of the Company by means of the documents which formally put an end to its existence, and transferred to the British Crown the vast territories and responsibilities which had resulted from a hundred years' work

The transfer of the Indian Empire to the Crown involved far less change than might at first sight appear, for the Crown had been steadily increasing its control over the Company's affairs almost since the beginning of its territorial sovereignty In 1858 the main rules under which India was governed were already rules laid down by the British Parliament, and although the British administrators in India, from the Governor-General downwards, were nominally servants of the Company's Board of Directors, they all knew that the authorities

to whom they really had to answer were the British Cabinet with its Indian Minister called the President of the Board of Control, and (behind the Cabinet) the British Parliament Beginning with the Regulating Act of 1773, a long series of statutes, more especially those of 1784, 1793, 1813, 1823, 1833, and 1853, had reduced the effective powers of the Board of Directors within narrower and narrower limits, until it had become little more than nominal The Company had first lost its trading monopoly, and then been prohibited from trading at all Its governmental functions theoretically continued, and all important despatches were addressed to its Board of Directors, but they were immediately passed on to the Government, and no action could be taken upon them without the Government's consent The Directors nominally appointed and paid their officers in India But the chief of those officers were in reality the nominees of Government, while the rank and file could only enter by the strait door of Haileybury College, admissions to which were largely controlled by Government The duties of the various officers, and the salaries to be paid to them, were strictly determined, and were in fact under the supervision of Parliament Before Parliament were laid regular reports on Indian affairs, and the voluminous papers relating to diplomatic and military transactions The Empire which had grown up under the Company's auspices had in fact long since passed from its control The continued existence of the Company had long been an anomaly, only justifiable on sentimental grounds it played no real effective part in the machinery of government, but was only a superfluous fifth wheel, and when the time-honoured forms were at last thrust aside, and the British Government stood frankly forth as responsible for the welfare of India, it was as if a ventriloquist were to throw aside his absurd doll and speak in his natural voice

The two documents which occupy this chapter need no commentary The first (No. 141) is the Proclamation of the Queen to the Princes, Chiefs, and People of India announcing the transfer of power Its main features are the promises of

complete religious toleration and the maintenance of the "ancient rights, usages and customs of India." These were no new doctrines they represented the consistent policy of the Company during at least the preceding generation But it seemed necessary to reiterate them, because a fear that the religious customs of India were going to be attacked had been the principal cause of the Mutiny The second document is the Act of the British Parliament transferring all the powers and properties of the Company to the Crown, and setting up a Secretary of State with an India Council of fifteen members to take the place of the President of the Board of Control on the one hand, and of the Board of Directors on the other This is, in effect, the only change which the Act made It introduced no changes in the actual administrative system in India, but on the contrary (§ 64) laid it down that "all acts and provisions now in force under charter or otherwise concerning India shall continue in force" In short, it is a change of form rather than of substance Nevertheless it ends an epoch, the epoch of the making of the Indian Empire, and opens a new one, the epoch of the modern development of that Empire, and of its entry into that great comradeship of nations which is called the British Empire The new epoch is not less important or interesting than the old, but it is different, and deserves to be separately treated

141 Proclamation by the Queen in Council to the Princes, Chiefs, and People of India

Victoria, by the grace of God of the United Kingdom of Great Britain and Ireland, and of the Colonies and Dependencies thereof in Europe, Asia, Africa, America and Australia, Queen, Defender of the Faith

Whereas, for divers weighty reasons, we have resolved by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in Parliament assembled, to take upon ourselves the government of the territories in India heretofore administered in trust for us by the Honourable East India Company

Now, therefore, we do by these presents notify and declare

that, by the advice and consent aforesaid, we have taken upon ourselves the said government, and we hereby call upon all our subjects within the said territories to be faithful, and to bear true allegiance to us, our heirs and successors, and to submit themselves to the authority of those whom we may hereafter, from time to time, see fit to appoint to administer the government of our said territories, in our name and on our behalf

And we, reposing special trust and confidence in the loyalty, ability, and judgment of our right trusty and well-beloved cousin and counsellor, Charles John, Viscount Canning, do hereby constitute and appoint him, the said Viscount Canning, to be our first Viceroy and Governor-General in and over our said territories and to administer the government thereof in our name, and generally to act in our name and on our behalf, subject to such orders and regulations as he shall, from time to time, receive from us through one of our Principal Secretaries of State

And we do hereby confirm in their several offices, civil and military, all persons now employed in the service of the Honourable East India Company, subject to our future pleasure, and to such laws and regulations as may hereafter be enacted.

We hereby announce to the native princes of India that all treaties and engagements made with them by or under the authority of the Honourable East India Company are by us accepted, and will be scrupulously maintained, and we look for the like observance on their part

We desire no extension of our present territorial possessions, and while we will permit no aggression upon our dominions or our rights to be attempted with impunity, we shall sanction no encroachment on those of others We shall respect the rights, dignity, and honour of native princes as our own, and we desire that they, as well as our own subjects, should enjoy that prosperity, and that social advancement which can only be secured by internal peace and good government

We hold ourselves bound to the natives of our Indian territories by the same obligations of duty which bind us to all our other subjects, and those obligations, by the blessing of Almighty God, we shall faithfully and conscientiously fulfil.

Firmly relying ourselves on the truth of Christianity, and acknowledging with gratitude the solace of religion, we disclaim alike the right and desire to impose our convictions on any of our subjects We declare it to be our royal will and

pleasure that none be in anywise favoured, none molested or disquieted, by reason of their religious faith or observances, but that all shall alike enjoy the equal and impartial protection of the law, and we do strictly charge and enjoin all those who may be in authority under us that they abstain from all interference with the religious belief or worship of any of our subjects on pain of our highest displeasure

And it is our further will that, so far as may be, our subjects, of whatever race or creed, be freely and impartially admitted to offices in our service, the duties of which they may be qualified, by their education, ability, and integrity, duly to discharge

We know, and respect, the feelings of attachment with which the natives of India regard the lands inherited by them from their ancestors, and we desire to protect them in all rights connected therewith, subject to the equitable demands of the State, and we will that, generally, in framing and administering the law, due regard be paid to the ancient rights, usages, and customs of India

We deeply lament the evils and misery which have been brought upon India by the acts of ambitious men, who have deceived their countrymen by false reports, and led them into open rebellion Our power has been shown by the suppression of that rebellion in the field we desire to show our mercy by pardoning the offences of those who have been thus misled, but who desire to return to the path of duty

Already, in one province, with a view to stop the further effusion of blood, and to hasten the pacification of our Indian dominions, our Viceroy and Governor-General has held out the expectation of pardon, on certain terms, to the great majority of those who, in the late unhappy disturbances, have been guilty of offences against our Government, and has declared the punishment which will be inflicted on those whose crimes place them beyond the reach of forgiveness We approve and confirm the said act of our Viceroy and Governor-General, and do further announce and proclaim as follows

Our clemency will be extended to all offenders, save and except those who have been, or shall be, convicted of having directly taken part in the murder of British subjects With regard to such the demands of justice forbid the exercise of mercy

To those who have willingly given asylum to murderers, knowing them to be such, or who may have acted as leaders or

instigators in revolt, their lives alone can be guaranteed, but, in apportioning the penalty due to such persons, full consideration will be given to the circumstances under which they have been induced to throw off their allegiance, and large indulgence will be shown to those whose crimes may appear to have originated in the credulous acceptance of the false reports circulated by designing men

To all others in arms against the government we hereby promise unconditional pardon, amnesty, and oblivion of all offence against ourselves, our crown, and dignity, on their return to their homes and peaceful pursuits

It is our royal pleasure, that these terms of grace and amnesty should be extended to all those who comply with these conditions before the 1st day of January next

When, by the blessing of Providence, internal tranquillity shall be restored, it is our earnest desire to stimulate the peaceful industry of India, to promote works of public utility and improvement, and to administer its government for the benefit of all our subjects resident therein In their prosperity will be our strength, in their contentment our security, and in their gratitude our best reward And may the God of all power grant to us, and to those in authority under us, strength to carry out these our wishes for the good of our people

142 The Government of India Act, 1858

(21 and 22 Vict Cap cvi)

Whereas (by the Government of India Act, 1853 [1]) the territories in the possession or under the Government of the East India Company were continued under such Government, in trust for her Majesty, until Parliament should otherwise provide, And whereas it is expedient that the said territories should be governed by and in the name of Her Majesty be it therefore enacted as follows

1 The government of the territories now in possession of the East India Company, and all powers exercised by the Company in trust for her Majesty, shall cease to be vested in or exercised by the said Company, and . shall become vested in Her Majesty and be exercised in her name, and . India shall mean the territories vested in Her Majesty

[1] 16 and 17 Vict. c. xcv This Act constituted the last renewal of the Company's charter

as aforesaid, and all territories which may become vested in Her Majesty

2. India shall be governed by and in the name of Her Majesty, and all the territorial and other revenues of or arising in India, and all tributes and other payments shall be received for and in the name of Her Majesty, and shall be applied for the purposes of the Government of India alone, subject to the provisions of this Act

3 Save as herein otherwise provided, one of Her Majesty's principal Secretaries of State shall have all such powers and duties as might have been exercised by the East India Company, or by the Court of Directors or Court of Proprietors of the said Company, either alone or by the direction or with the sanction of the Commissioners for the affairs of India and also all such powers as might have been exercised by the said Commissioners alone

6 In case Her Majesty be pleased to appoint a fifth Principal Secretary of State, there shall be paid out of the revenues of India to such Principal Secretary of State and to his Under-Secretaries respectively the like yearly salaries as may for the time being be paid to any other of such Secretaries of State and his Under-Secretaries respectively

7 For the purposes of this Act a Council shall be established, to consist of Fifteen members, and to be styled the Council of India, and henceforth the Council in India now bearing that name shall be styled the Council of the Governor-General of India

9 Every vacancy among the members of the Council appointed by Her Majesty shall be filled up by Her Majesty, by Warrant under Her Royal Sign Manual, and every other Vacancy shall be filled up by the Council Election made at a Meeting to be held for that purpose

10 The major part of the members of the Council, shall be persons who have served or resided in India for ten years at the least, and shall not have last left India more than ten years next preceding the date of their appointment, and no person other than a person so qualified shall be appointed unless nine at the least of the continuing members of the Council be persons qualified as aforesaid

11. Every member of the Council shall hold his office during good behaviour, provided, that it shall be lawful for Her Majesty to remove any such member from his office upon an address of both Houses of Parliament

12 No member of the Council . . . shall be capable of sitting or voting in Parliament

13 There shall be paid to each member of the Council the yearly salary of one thousand two hundred pounds, out of the revenues of India

19 The Council shall, under direction of the Secretary of State, and subject to the provisions of this Act, conduct the business transacted in the United Kingdom in relation to the Government of India and the correspondence with India, but every order or communication sent to India shall be signed by one of the Principal Secretaries of State, and, save as expressly provided by this Act, every order in the United Kingdom in relation to the Government of India under this Act shall be signed by such Secretary of State, and all despatches from governments and presidencies in India, and other despatches from India shall be addressed to such Secretary of State

20 It shall be lawful for the Secretary of State to divide the Council into committees for the more convenient transaction of business

21 The Secretary of State shall be the President of the Council, with power to vote

23 At any meeting of the Council at which the Secretary of State is present, if there be a difference of opinion the determination of the Secretary of State shall be final, and in case of an equality of votes at any meeting of the Council, the Secretary of State, if present, and, in his absence, the Vice-President, or presiding member, shall have a casting-vote, and all acts done at any meeting of the Council in the absence of the Secretary of State, except the election of a member of the Council, shall require the sanction or approval in writing of the Secretary of State, and the Secretary of State may require that his opinion, and the reasons for the same, be entered in the minutes of the proceedings, and any member of the Council who may have been present at the meeting may require that his opinion, and any reasons for the same that he may have stated at the meeting, be entered in like manner

25 If a majority of the Council record as aforesaid their opinions the Secretary of State shall record his reasons for acting in opposition thereto

29 The appointments of Governor-General of India . . and Governors of Presidencies in India, and the appoint-

ments of Advocate General for the several Presidencies . . shall be made by Her Majesty by warrant under Her Royal Sign Manual, . . the appointments of Lieutenant-Governors of provinces or territories shall be made by the Governor-General of India, subject to the approbation of Her Majesty

30. The Secretary of State in Council, with the concurrence of a majority of members present at a meeting, shall have the like power to make regulations for the division and distribution of patronage and power of nomination among the several authorities in India, and the like power of restoring to their stations, offices, or employments, officers and servants suspended or removed by any authority in India as might have been exercised by the said Court of Directors

40 The Secretary of State in Council, with the concurrence of a majority of votes at a meeting, shall have full power to sell or dispose of all real and personal estate vested in Her Majesty or to raise money on any such real estate by way of mortgage and to purchase and acquire any land or hereditaments, or any interests therein, stores, goods, chattels, and other property, and to enter into any contracts whatsoever for the purposes of this Act, and all property so acquired shall vest in Her Majesty for the service of the Government of India

41 The expenditure of the Revenues of India, both in India and elsewhere, shall be subject to the control of the Secretary of State in Council, and no grant or appropriation of any part of such revenues, or of any other property coming into possession of the Secretary of State in Council by virtue of this Act, shall be made without the concurrence of a majority of votes at a meeting of the Council

53 The Secretary of State in Council shall, within the first fourteen days during which Parliament may be sitting next after the first day of May in every year, lay before both Houses of Parliament an account for the financial year preceding of the annual produce of the revenues of India together with the latest estimate of the same for the last financial year, and also the amount of the debts chargeable on the revenues of India, with the rates of interest they respectively carry, and the annual amount of such interest and also a list of the Establishment of the Secretary of State in Council, and the Salaries and Allowances payable in respect thereof, and such account shall be accompanied by a statement prepared from detailed reports from each presidency and district in India in

such form as shall best exhibit the moral and material progress and condition of India in each such presidency

54 When any Order is sent to India directing the actual commencement of hostilities by Her Majesty's forces in India, the fact of such order having been sent shall be communicated to both Houses of Parliament within three months after the sending of such order, if Parliament be sitting and if Parliament be not sitting at the end of such three months, then within one month after the next meeting of Parliament

55 Except for preventing or repelling actual invasion of Her Majesty's Indian possessions, or under other sudden or urgent necessity, the revenues of India shall not, without the consent of both Houses of Parliament, be applicable to defray the expenses of any military operations carried on beyond the external frontiers of such possessions by Her Majesty's Forces charged upon such Revenues

56 The military and naval forces of the East India Company shall be deemed to be the Indian military and naval forces of Her Majesty and shall be liable to serve within the same territorial limits only, for the same terms only, and be entitled to the like pay, pensions, allowances, and privileges, and the like advantages as regards promotions and otherwise, as if they had continued in the service of the said Company . and the pay and expenses of Her Majesty's Indian military and naval forces shall be defrayed out of the Revenues of India

57 Provided, That it shall be lawful for Her Majesty from time to time by order in Council to alter or regulate the terms and conditions of service under which persons hereafter entering Her Majesty's Indian forces shall be commissioned, enlisted, or entered to serve Provided that every such order in Council shall be laid before both Houses of Parliament within fourteen days after the making thereof, if Parliament be sitting and if Parliament be not sitting, then within fourteen days within the next meeting thereof

64 All Acts and provisions now in force under charter or otherwise concerning India shall, subject to the provisions of this Act, continue in force, and be construed as referring to the Secretary of State in Council in the place of the said Company and the Court of Directors and Court of Proprietors thereof.

65. The Secretary of State in Council shall and may sue and be sued as well in India as in England by the name of the

Secretary of State in Council as a body corporate, and all persons and bodies politic shall and may have and take the same suits, remedies, and proceedings, legal and equitable, against the Secretary of State in Council of India as they could have done against the said Company, and the property and effects hereby vested in Her Majesty for the purposes of the Government of India, or acquired for the said purposes, shall be subject and liable to the same judgments and executions as they would while vested in the said Company have been liable to in respect of debts and liabilities lawfully contracted and incurred by the said Company

67 All treaties made by the said Company shall be binding on Her Majesty, and all contracts, covenants, liabilities, and engagements of the said Company made, incurred, or entered into before the commencement of this Act may be enforced by and against the Secretary of State in Council

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